



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD)NO.3661 of 2020

WEB COPY

A.M.Mohideen Abdul Khader,
son of A.Meeran Mydeen,
Assistant,
III Additional District and Sessions Court,
Tirunelveli.

:Petitioner

.vs.

The Principal District Judge,
Principal District Court,
Tirunelveli.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to consider the representation of the Petitioner, dated 1.10.2019 and thereby refix the seniority list of the post of Assistant and provide the monetary benefits to the Petitioner.

For Petitioner : Mr.P.R.Prithiviraj
For Respondent : Mr.N.Tamilmani

O R D E R

[Order of the Court was made by **M.DURAI SWAMY.,J.**]

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondent to consider the representation of the Petitioner, dated 1.10.2019 and refix the seniority list for the post of Assistant and provide the monetary benefits to the Petitioner.

2.Mr.Prithiviraj, learned counsel appearing for the Petitioner submitted that inspite of giving any positive direction, it would be suffice to direct the respondent to consider the Petitioner's representation, dated 1.10.2019 and pass orders in accordance with law.

3.Mr.N.Tamilmani, learned counsel appearing for the respondent submitted that the Petitioner has completed the foundation training belatedly from 24.8.2017 to 16.10.2017. Therefore, his juniors who have completed the period of probation, have been considered for promotion and have been given promotion as and when vacancies arisen. The learned counsel for the respondent further submitted



that the Petitioner's representation, dated 1.10.2019 would be considered and orders will be passed by the respondent in accordance with law.

4.Having regard to the submissions made by the learned counsel appearing on either side, taking into consideration the limited prayer sought for by the Petitioner, without expressing any opinion on the merits of the case, we direct the respondent to consider the Petitioner's representation, dated 1.10.2019 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The Principal District Judge,
Principal District Court,
Tirunelveli.

ORDER MADE IN
W.P(MD)NO.3661 of 2020
14.09.2021

RS (22.09.2021) 2P 2C