



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.3941 of 2020

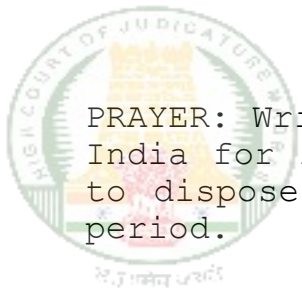
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M.Poomony Raj

... Petitioner

vs.

- 1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 3.The Director,
Directorate of Rural Development &
Panchayatraj Department,
Panagal Building,
Chennai - 600 015.
- 4.Director of Town Panchayat,
Directorate of Town Panchayat,
Rajaji Salai, M.R.C.Nagar,
Chennai - 600 028.
- 5.The District Collector,
(Development Branch), Nagercoil,
Kanyakumari District - 629 001.
- 6.The Director,
Directorate of Local Fund Audit,
Integrated Complex for Finance Department,
4th Floor, Nandanam,
Chennai - 600 035.
- 7.The Assistant Director of Town Panchayat,
Nagercoil Region,
Collectorate Compound,
Nagercoil - 1, Kanyakumari District.
- 8.The Block Development Officer,
Agateeswaram Block,
Perumalpuram, Kanyakumari District. ... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to dispose the representation dated 28.10.2019 within a stipulated period.

For Petitioner : Mr.N.Mohamed Asif
For Respondents : Mr.P.Subbaraj,
Government Advocate.

ORDER

The petitioner has filed this Writ Petition seeking for a direction to the respondents to dispose the representation dated 28.10.2019.

2. According to the petitioner, he was appointed as Bill Collector in Town Panchayat on 13.03.1964 and due to administrative reasons, on 13.01.1972, he was transferred as Group Clerk-cum-Bill Collector from the Town Panchayat to Rural Development and Panchayat Raj Department. After completion of 39 years of service, he attained the age of superannuation on 30.09.2003 and at the time of superannuation, he was working as Accountant in the office of the eighth respondent. During his service, he applied for promotion on several times. But, he did not get any promotion. The petitioner gave a representation on 28.10.2019, seeking promotion equivalent to the persons, who were working in the Town Panchayat as Bill Collectors from 13.03.1964 to 30.09.2003. But, the respondents did not pass any order with regard to his promotion. Hence, petitioner has come out with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4. The petitioner was transferred on 13.01.1972 from Town Panchayat to Rural Development and Panchayat Raj Department. According to the petitioner, he was transferred due to administrative reasons without his consent. But, the petitioner has not challenged such transfer. Similarly, the petitioner has stated that during his service, he made several representations for promotion. But, he has not produced any such representations. The petitioner retired from service, on attaining the age of superannuation, on 30.09.2003. The petitioner gave a representation on 28.10.2019, claiming the benefits on par with the employees, who were working in Town Panchayat as Bill Collectors from 13.03.1964 to 30.09.2003. The petitioner was transferred on 13.01.1972 from Town Panchayat to Rural Development and Panchayat Raj Department and from that date onwards, he would come only under the Rural Development and Panchayat Raj Department. Further, the claim of the petitioner, after 16 years, i.e., after his retirement, is stale and without



5. For the above reasons, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

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Sub Assistant Registrar(CS)

vsm

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

1.The Secretary to Government,
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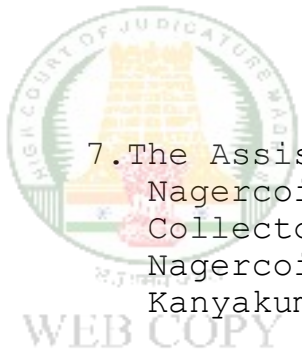
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<https://hcservices.ecourts.gov.in/hcservices/>



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Kanyakumari District.

8.The Block Development Officer,
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+1 CC to M/s.GP (SR-23692[F] dated 23/07/2021)

W.P (MD) No. 3941 of 2020
22.07.2021

RK (02.08.2021) 4P 10C