



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.21495 of 2017

S.Paramasivan

... Petitioner

Vs.

1.The Government of Tamil Nadu

Rep by the Secretary to the Government

Municipal Administration & Water Supply Department,
Secretariat, Chennai-600 009.

2.Regional Director of Municipal Administration,

Regional Directorate of Municipal Administration,
Melakkal Rd, Kochadai, Madurai,
Tamil Nadu-625 016

3.The Commissioner,

Bodinayakannur Municipality
Theni District.

... Respondents

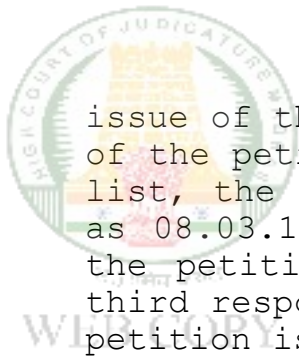
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to revise the seniority of the petitioner in the seniority list by rectifying the petitioner's date of regularization as 08.10.1987 along with all consequential benefits.

For Petitioner	: Mr.T.Lajapathi Roy
For R1 & R2	: Mr.M.Muthugeethaiyan Special Government Pleader
For R3	: Mr.M.Karuppasamy Pandian

O R D E R

This writ petition is filed by the petitioner for a direction to the third respondent to revise the seniority of the petitioner in the seniority list by rectifying the petitioner's date of regularization as 08.10.1987 along with all consequential benefits.

2.The case of the petitioner is that he was appointed on 08.10.1987 as Sanitary Worker in the Bodinayakanur Municipality. While so, the third respondent had issued a memo order, dated 20.09.2017, stating that the Seniority list of all the Sanitary Workers of the Bodinayakanur Municipality was furnished and further specified that if any rectification sought for in the said seniority list, the same shall be rectified within 15 days from the date of



issue of the said memo. The said notice was brought to the knowledge of the petitioner only on 20.10.2017 and found that in the seniority list, the petitioner's date of regularization was wrongly mentioned as 08.03.1999, instead of 08.10.1987. To rectify the said mistake, the petitioner has made a representation, dated 03.11.2017 to the third respondent. So far, no order has been passed, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the third respondent to consider the petitioner's representation, dated 03.11.2017, within the reasonable time as fixed by this Court.

4.The learned Special Government Pleader appearing for the first and second respondents has no serious objection for considering the petitioner's representation.

5.Considering the limited request made by the learned counsel for the petitioner, this Court directs the third respondent to consider the petitioner's representation, dated 03.11.2017, and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1.The Government of Tamil Nadu
Rep by the Secretary to the Government
Municipal Administration & Water Supply Department,
Secretariat, Chennai-600 009.
- 2.Regional Director of Municipal Administration,
Regional Directorate of Municipal Administration,
Melakkal Rd, Kochadai, Madurai,
Tamil Nadu-625 016
- 3.The Commissioner,
Bodinayakannur Municipality
Theni District.



+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-12172[F] dated 18/03/2021)

+1 CC to M/s.SPL GP (SR-12126[F] dated 18/03/2021)

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W.P. (MD) No.21495 of 2017
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KB(18.06.2021) 3P 6C