



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 12806 of 2022

M. Abdul Jappar

..Petitioner

Vs.

1.The Commissioner,
Avadi City Municipal Corporation,
Avadi,
Chennai - 600054.

2.The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai-600028

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the representations of the petitioner dated 07.06.2021 and 19.03.2022 seeking regular promotion as sanitary officer from 26.02.2021 as he is holding the said post on Full Additional charge from that date and to pass appropriate orders within a reasonable period as may be fixed by this Honble Court and meanwhile the 2nd respondent may be restrained from filling the post by any outsider.

For Petitioners : Mr. S.N.Ravichandran

For Respondents : Mr. S.Rajesh, GA

ORDER

The relief sought for in the present writ petition is for a direction to the 1st respondent to consider the petitioner for regular promotion as Sanitary Officer w.e.f 20.02.2021 by considering his representations dated 07.06.2021 and 19.03.2022.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is working as Sanitary Inspector in the Avadi City Municipal Corporation from 03.12.2012. The petitioner is the senior most Sanitary Worker among other sanitary workers in the Avadi City Municipal Corporation. The post of sanitary officer fell vacant on 26.02.2021, the petitioner is holding Full Additional Charge of the said post



3. The learned counsel for the petitioner has further submitted that the petitioner being a senior most sanitary Inspector in the said Corporation, has submitted representations dated 07.06.2021 and 26.11.2021 to consider him as Sanitary Officer in the regular vacancy. The 1st respondent has recommended the petitioner for the said post and forwarded the representations of the petitioner to the 2nd respondent vide proceedings in Na.Ka.No. 3468/2021/C1, dated 09.12.2021. The said representations are pending with the 2nd respondent without any action, hence the present writ petition.

4. The learned Government Advocate, on instructions would submit that the said representations submitted by the petitioner will be considered and orders will be passed by the 1st respondent, within a time frame as fixed by this Court.

5. Having regard to the submissions made by the learned counsels appearing for the parties concerned and in view of the limited prayer sought for by the learned counsel for the petitioner, this Court, without expressing any opinion and without going into merits of the case, is inclined to direct the 1st respondent to consider the representations dated 07.06.2021 and 19.03.2022 and pass appropriate orders on its own merits, in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. No costs

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner,
Avadi City Municipal Corporation,
Avadi, Chennai - 600054.

2.The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram, Chennai-600 028.

+1cc to Mr.S.N.Ravichandran, Advocate SR. No. 34038

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