



WEB COPY



W.P. No.24917 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.24917 of 2022 and
W.M.P.No.23851 of 2022

S.Saravanan

... Petitioner

Vs.

1.The State of Tamil Nadu rep. By its
Additional Chief Secretary to
Government to Tamil Nadu
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai – 600 009.

2.The Director of Municipal Administration,
Urban Administration Department Buildings,
No.75, Santhome High Road,
MRC Nagar, Chennai – 600 028.

3.The Commissioner,
Ulundurpet Municipality,
Ulundurpet, Kallakuruchi District.

4.The Regional Director of Municipal Administration,
Vellore.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus directing the respondents to
consider the petitioner's representation dated 17.08.2022 for the
promotion to the post of sanitary supervisor in accordance with his



W.P. No.24917 of 2022

seniority in the post of Sweeper to be reckoned from 01.01.1994 as per the judgment of this Court dated 17.02.2022 in W.P.No.23573 of 2021 with all consequential service and monetary benefits.

For Petitioner : Mr.A.Prakash

For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated 22.07.2022 (which is stated to be given on 17.08.2022) for the promotion to the post of sanitary supervisor in accordance with his seniority in the post of Sweeper to be reckoned from 01.01.1994 as per the judgment of this Court dated 17.02.2022 in W.P.No.23573 of 2021 with all consequential service and monetary benefits.

2. The petitioner initially appointed/engaged as NMR i.e. Sweeper NMR from 1992 at the 3rd respondent Municipality and in that capacity the petitioner had been working for several years thereafter he approached Labour Welfare Board for getting orders to regularise his service which order he claimed to have obtained as against which the petitioner filed writ petition in W.P.No.23573 of 2021 where orders were



W.P. No.24917 of 2022

passed on 17.02.2022 based on which the petitioner has been regularised with effect from 1994.

3. In this context, it is the further grievance of the petitioner that, based on his seniority he should be considered for further promotion to the post of Sanitary Supervisor and in order to get such promotion, the petitioner had given a representation on 22.07.2022 and to consider the same and to pass orders on the said representation, the petitioner has moved the present writ petition.

4. Heard Mr.A.Prakash, learned counsel appearing for the petitioner and Mr.C.Kathiravan, learned Special Government Pleader appearing for the respondents.

5. The learned Special Government Pleader appearing for the respondents would contend that the said representation of the petitioner dated 22.07.2022 would be considered on merits and in accordance with law and would be disposed of at the earliest.



W.P. No.24917 of 2022

6. Having regard to the said submissions made by both sides and in view of the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the respondents to consider the representation of the petitioner dated 22.07.2022 and pass orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.09.2022

Index : Yes / No

Speaking Order : Yes / No

Sgl

To



W.P. No.24917 of 2022

WEB COPY

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WEB COPY



W.P. No.24917 of 2022

R.SURESH KUMAR, J.

Sgl

W.P. No.24917 of 2022

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