



W.P.No.30965 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.30965 of 2018

A.Ravi,
Sanitary Maistry Grade - II

..Petitioner

Vs.

1. The Secretary to Government (LAD),
Chief Secretariat,
Puducherry – 605 001.

2. The Director,
Local Administration Department,
Puducherry – 605 001.

3. The Commissioner,
Puducherry Municipality,
Puducherry – 605 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for Writ of Mandamus, directing the respondents to promote the petitioner for the post of Sanitary Maistry Grade – II with effect from 20.12.1997 and further promotion to the post of Sanitary Maistry Grade – I with effect from 01.01.2001 and further promote the petitioner to the post of Sanitary Inspector Grade – II with effect from 01.01.2006 with all consequential benefits.



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For Petitioner : Ms.SM.Kothai Muthu Meenal
for Mr.P.Suresh
For Respondents : Mr.V.Balamurugane
Government Pleader [Puducherry]

ORDER

The prayer sought for herein is for a writ of mandamus, to direct the respondents to promote the petitioner to the post of Sanitary Maistry Grade – II with effect from 20.12.1997 and further promotion to the post of Sanitary Maistry Grade – I with effect from 01.01.2001 and further promote the petitioner to the post of Sanitary Inspector Grade – II with effect from 01.01.2006 with all consequential benefits.

2. The petitioner has been working as a Sanitary Maistry Grade – II with effect from 20.12.1991 at the third respondent Corporation and the petitioner has subsequently acquired the qualification to hold the post of Sanitary Maistry Grade – I with effect from 01.01.2001.

3. In this regard, the petitioner has given a representation on 12.03.2018 to consider his request for the promotion to the post of



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Sanitary Maistry Grade – I based on the qualification, which he subsequently acquired. Since the said representation has not been considered, the petitioner has approached this Court by the filing the present writ petition with the aforesaid prayer.

4. Heard Ms.SM.Kothai Muthu Meenal, learned counsel appearing for the petitioner, who having reiterated the aforesaid seeks indulgence of this Court to issue a direction to the respondents especially to the third respondent to give promotion to the petitioner to the post of Sanitary Maistry Grade – I by considering his qualification, which he has subsequently acquired.

5. Heard Mr.V.Balamurugane, learned Government Pleader (Puducherry) appearing for the respondents, who would submit that the whether petitioner would be entitled to seek for such promotion is to be decided by the respondents especially by the third respondent. Therefore, in this regard, the representation submitted by the petitioner dated 12.03.2018 would be considered and decided on merits within a time frame that may be stipulated by this Court.



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6. I have considered the said submission made by the learned counsel appearing for both sides.

7. Having regard to the said submission made by the learned counsel appearing for the parties and taking into account that the prayer sought for herein is innocuous in nature, this Court is inclined to dispose of this writ petition with the following order:

- ◆ That there shall be a direction to the respondents especially the third respondent to consider the representation of the petitioner dated 12.03.2018 and pass orders thereon on merits and in accordance with law and communicate the same to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of accordingly.

No costs.

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Index : Yes/No

Internet: Yes/No

mp



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To

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R.SURESH KUMAR.J,
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