



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2022**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.[MD].No.4688 of 2020
W.M.P[MD].Nos.4061 & 4063 of 2020

1.P.Kaliappan
2.S.Ganesan
3.P.Marisamy
4.A.Manivasagam
5.P.Palanisamy
6.R.Johnson Prabakaran
7.P.Vetrichelvan
8.K.Murali

... Petitioners

Vs.

- 1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Director of Town Panchayats,
Office of the Director of Town Panchayats,
7th & 8th Floors, Town Administrative Office,
Chennai-600 028.
- 3.The District Collector,
Theni, Theni District.
- 4.The Assistant Director of Town Panchayats,
Theni Region, Theni District.
- 5.The Executive Officer,
Vadugapatti Town Panchayat,
Periyakulam, Theni District.
- 6.The Executive Officer,
Highwaysvis Town Panchayat,
Uthamapalayam Taluk, Theni District.
- 7.The Executive Officer,
Odaipatti Town Panchayat,
Uthamapalayam Taluk, Theni District.



8.The Executive Officer,
Devaram Town Panchayat,
Bodinayakanur Taluk, Theni District.

9.The Executive Officer,
Thamaraikulam Town Panchayat,
Periyakulam, Theni District.

10.The Executive Officer,
Thenkarai Town Panchayat,
Periyakulam, Theni District.

11.The Executive Officer,
Veerapandi Town Panchayat,
Theni District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to promote the petitioners herein as Bill Collector/Junior Assistant on the basis of their seniority as per the proceedings of the second respondent in Na.Ka.No.984/2013/A3 dated 28.11.2019 in the light of G.O.Ms.No.76 dated 31.05.2019.

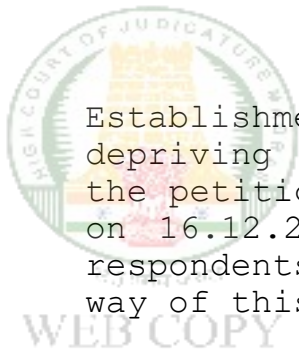
For Petitioner : Mr.K.Appadurai

For Respondents : Mr.J.Ashok
Additional Government Pleader

O R D E R

The relief sought for in the present Writ Petition is to promote the petitioners herein as Bill Collector/Junior Assistant on the basis of the seniority, as per the proceedings of the second respondent dated 31.05.2019.

2. The petitioner Nos.1 to 3 are working as Record Clerks in the respondent Nos.3 to 5 herein, petitioner No.4 is working as Office Assistant under the sixth respondent, petitioner No.5 is working as Water Supplier in the seventh respondent and sixth respondent is working as Water Scheme Assistant under the 8th respondent herein. On 31.05.2019, the first respondent issued a G.O.(Ms).No.76, Municipal Administration and Water Supply (Peru.1) Department for absorption of workers, who were temporarily appointed on daily wages or consolidated basis in various categories in the Town Panchayats into the Entry Level Posts of Junior Assistant/Tax Collector/Typist. By following G.O.Ms.No.76 dated 31.05.2019, the second respondent issued proceedings in Na.Ka.No.984/2013/A3 dated 28.11.2019 absorbing 50 employees into the post of Junior Assistant/Tax Collector, who had been initially appointed in the Entry Level Posts. However, the respondents have absorbed nearly 200



Establishment of Town Panchayats, without drawing any seniority and depriving right of seniority of the petitioners herein. Therefore, the petitioners have given a representation to the second respondent on 16.12.2019. However, the same has not been considered by the respondents so far. Hence, the petitioner is before this Court by way of this writ petition.

3. The learned counsel for the petitioner submits that it would be sufficient if a direction is given to the respondents to dispose of the representation of the petitioners.

4. Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents would state that the representation of the petitioner is under consideration.

5. In view of the limited scope of the relief sought for, this Court, without expressing anything on the merits of the case, directs the respondents to consider the petitioners representation dated 16.12.2019 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

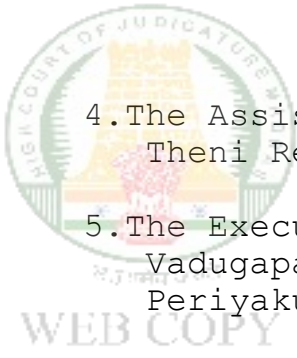
To

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
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Fort St. George, Chennai-600 009.

2. The Director of Town Panchayats,
Office of the Director of Town Panchayats,
7th & 8th Floors, Town Administrative Office,
Chennai-600 028.

3. The District Collector,
Theni, Theni District.

<https://hcservices.ecourts.gov.in/hcservices/>



- 4.The Assistant Director of Town Panchayats,
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Periyakulam, Theni District.
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Veerapandi Town Panchayat,
Theni District.

+1 CC to M/s.SPL GP (SR-1270[F] dated 11/01/2022)

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SSB
MS/17.03.2022/4P.13C