



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.06.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P. (MD) .No.11440 of 2022

V.Thangapandian

... Petitioner

vs.

1.The Principal Secretary to Government,
Panchayat Raj Rural Development and Department,
Chennai -9.

2.The Director,
Rural Development and Panchayat Raj Department,
Pangal Building,
Chennai -15.

3.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to include the name of the petitioner in the panel of Assistant Director for the year 2018 - 2019 and promote the petitioner as Assistant Director notionally w.e.f., the date on which his juniors got promotion in the panel year 2018 - 2019 by considering the petitioner's representation, dated 20.09.2021 and 25.04.2022 within the period that may be stipulated by this Court.

For Petitioner

: Mr.C.Venkatesh Kumar

For Respondents

: M/s. D.Farjana Ghousiya
Special Government Pleader

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents 1 and 2 to include the name of the petitioner in the panel of Assistant Director for the year 2018 - 2019 and promote the petitioner as Assistant Director notionally w.e.f., the date on which his juniors got promotion in the panel year 2018 - 2019, by considering the petitioner's representation, dated 20.09.2021 and 25.04.2022.



2. By consent, the writ petition itself is taken up for final disposal.

3. The learned counsel for the petitioner submitted that the petitioner is eligible for promotion to the post of Assistant Director for the year 2018 - 2019. Therefore, he has made a representation on 20.09.2021 and 25.04.2022, requesting the second respondent to include his name in the panel for the year 2018 - 2019, for promoting him as Assistant Director notionally from the date on which the petitioner's juniors were promoted in the panel year 2018 - 2019.

4. M/s. D.Farjana Ghousiya, learned Special Government Pleader takes notice for the respondents and submitted that the representation of the petitioner is pending consideration. She has also submitted that the petitioner has not completed for the one year independent service as Block Development Officer(Village Panchayat) and there are certain allegations pending against the petitioner, at the time of preparation of the panel for the year 2018 - 2019 and subsequently, charge has been issued against him.

5. However, it is seen from the submission of the learned counsel for the petitioner that the charge has been issued against the petitioner only subsequent to the preparation of the panel, on 25.04.2022.

6. In view of the submission made by the learned counsel for the petitioner and that subsequent charge will not be a bar for considering the petitioner for promotion as Assistant Director during 2018 - 2019 and his representation is still pending for consideration, the respondents are directed to consider the representation of the petitioner dated 20.09.2021 and 25.04.2022 on merits and in accordance with law and pass appropriate orders, at the earliest preferably within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv



To

1.The Principal Secretary to Government,
Panchayat Raj Rural Development and Department,
Chennai -9.

2.The Director,
Rural Development and Panchayat Raj Department,
Pangal Building,
Chennai -15.

3.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-25509[F] dated
14/06/2022)

+1 CC to M/s.SPL.GP (SR-25592[F] dated 14/06/2022)

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NSN (CO)
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