



W.A.(MD)No.1437 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.A.(MD) No.1437 of 2021
and
C.M.P.(MD) No.5897 of 2021

The Commissioner,
Dindigul Corporation,
Dindigul District.

... Appellant/3rd Respondent

Vs.

1.N.Balamurugan

... 1st Respondent/Petitioner

2.The State of Tamil Nadu,
Rep. by its Secretary to the Government,
Municipal Administration and Water
Supply Department (MAWS),
Secretariat,
Chennai – 600 009.

3.The Commissioner of Municipal Administration,
Chepauk,
Chennai – 600 005.

... Respondents 2 and 3/
Respondents 1 and 2

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 01.04.2021 made in W.P.(MD) No.7456 of 2021 and to allow the appeal.

For Appellant

: Mr.J.Lawrance
Standing Counsel



W.A.(MD)No.1437 of 2021

For 1st Respondent : Mr.S.Vinayak

For Respondents 2 & 3 : Mr.S.P.Maharajan
Special Government Pleader

* * *

J U D G M E N T

(Judgment of the Court was delivered by **R.MAHADEVAN, J.**)

The Writ Appeal has been filed by the appellant/third respondent challenging the order of the learned Single Judge in W.P.(MD) No.7456 of 2021, dated 01.04.2021, by which, the learned Single Judge has directed the first respondent to consider the proposal sent by the third respondent dated 07.06.2019, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of that order.

2. Mr.J.Lawrance, learned Standing Counsel, appearing for the appellant, Mr.S.Vinayak, learned counsel for the 1st respondent and Mr.S.P.Maharajan, learned Special Government Pleader, appearing for the respondents 2 and 3.

3. Though the appellant has challenged the order of the learned Single Judge, directing the second respondent herein



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to consider the proposal sent by the appellant herein dated 07.06.2019, on the ground that the said proposal has nothing to do with the claim of the 1st respondent/writ petitioner and the same was sent only for permission or relaxation to make appointments on compassionate grounds in the appellant Corporation, after arguing for some time, the learned Standing Counsel appearing for the appellant submitted that the appellant has no objection for the 2nd respondent to consider the appellant's proposal on its own merits as directed by the learned Single Judge.

4. Recording the same, this Writ Appeal is disposed of by directing the 2nd respondent to consider the proposal sent by the appellant dated 07.06.2019, on its own merits and pass appropriate orders in accordance with law and communicate the decision taken to the appellant and the 1st respondent within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
29.11.2022

Internet : Yes / No
Index : Yes / No
sj



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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

To

- 1.The Secretary to the Government,
Municipal Administration and Water
Supply Department (MAWS),
Chennai – 600 009.
- 2.The Commissioner of Municipal Administration,
Chepauk,
Chennai – 600 005.

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