



WEB COPY



W.P. No. 5936 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 5936 of 2020

M.Padmavathi

... Petitioner

-VS-

1. The State of Tamil Nadu
Rep. By Principal Secretary to Government
Personnel and Administrative Reforms Department
Secretariat, Fort St. George
Chennai – 600 009.

2. The Deputy Secretary to Government
Personnel and Administrative Reforms Department
Secretariat, Fort St. George
Chennai – 600 009.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to include the name of the Petitioner in the regular panel of Assistant Section Officer for the year 2009-2010 in appropriate place above the Juniors with consequential and attendant benefits based on the representation submitted by the Petitioner dated 26.07.2016 in the light of the various judicial pronouncements on the subject, within a time frame to be fixed by the Court.



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For Petitioner : Mr. G.Sankaran, Senior Counsel
For Mr. S.Nedunchezhiyan

For Respondents : Mr. B.Vijay
Additional Government Pleader

ORDER

Heard Mr. G.Sankaran, Learned Senior Counsel appearing for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 26.07.2016 to the First Respondent to include his name in the regular panel of Assistant Section Officer for the year 2009-2010 in appropriate place above his Juniors with consequential attendant benefits, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-



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- (i) the concerned authority shall immediately examine the representation dated 26.07.2016 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

21.03.2023

Maya

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Principal Secretary to Government
Personnel and Administrative Reforms Department
Secretariat, Fort St. George
Chennai – 600 009.
2. The Deputy Secretary to Government
Personnel and Administrative Reforms Department
Secretariat, Fort St. George
Chennai – 600 009.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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