



W.P. No. 8559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

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

**W.P. No. 8559 of 2023
and
W.M.P. No. 8743 of 2023**

A.Lakshmanan

... Petitioner

-VS-

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai – 600009.
2. The Commissioner of Municipal Administration,
No. 75, Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai – 600028.
3. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore – 641001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to pass appropriate orders on the representations of the Petitioner dated 06.12.2022, 29.12.2022 and finally on 03.03.2023, within a reasonable period as may be fixed by this Court.



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For Petitioner : Mr. T.Ranganathan

For Respondents : Mrs. R.Anitha,
Special Government Pleader
(for R1 & R2)

Mr. K.M.D.Muhilan,
Additional Government Pleader
(for R3)

ORDER

Heard Mr. T.Ranganathan, Learned Counsel for the Petitioner, Mrs. R.Anitha, Learned Special Government Pleader takes notice for the First and Second Respondents and Mr. K.M.D.Muhilan, Learned Additional Government Pleader takes notice for the Third Respondent 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 representations dated 06.12.2022, 29.12.2022 and 03.03.2023 to the First Respondent to elevate him to the post of Chief Engineer as per G.O. (Ms) No. 152, Municipal Administration & Water Supply Department dated 20.10.2022 issued by the Government of Tamil Nadu, but as it did not evoke any response, he has filed this Writ Petition.



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3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 06.12.2022, 29.12.2022 and 03.03.2023 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 to explain his 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; and
- (v) 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.

Consequently, the connected Miscellaneous Petition is closed. No costs.

17.03.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai – 600009.
2. The Commissioner of Municipal Administration,
No. 75, Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai – 600028.
3. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore – 641001.

Copy to

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



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P.D. AUDIKESAVALU, J.

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