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W.P.No.11676 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

**W.P.No.11676 of 2020
and W.M.P.No.14326 of 2020**

1.P.Kezendirane
2.K.Balabaskaran
3.R.Vijaya
4.V.Nalina
5.S.Soubalatchoumy
6.V.Radjendirane
7.S.Jayanthi

... Petitioners

Vs.

1.Union Territory of Puducherry
rep. By its Under secretary Department (LA)
Puducherry.

2.The Director,
Local Administration Department,
Puducherry.

3.The Commissioner, Pondicherry
Municipality, Puducherry.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation for absorption to the post of Work Inspector in the Engineering wing of the Pondicherry Municipality with effect from the year 2003 or such other date of actual vacancy and grant all other consequential benefits including monetary benefits flowing therefrom.

For Petitioners : Mr.Swarnam Rajagopalan

For Respondents : M/S.G.Djearany
Government Advocate

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the respondents 2 and 3 to consider the petitioner's representation for absorption to the post of Work Inspector in the Engineering wing of the Pondicherry Municipality with effect from the year 2003 or such other date of actual vacancy and grant all other consequential benefits including monetary benefits flowing therefrom.



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2. Heard Mr.Swarnam Rajagopalan, learned counsel appearing for the petitioners and M/S.G.Djearany, learned Government Advocate appearing for the respondents and perused the materials available on record.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioners' representation and pass appropriate orders on merits, within a particular time frame to be fixed by this Court.

4. The learned Government Advocate appearing for the respondents submitted that the petitioners may be directed to file fresh representation before the respondents and the respondents, on receipt of such representation, will pass appropriate orders.

5. In the light of the limited scope of prayer sought for in this writ



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petition and the submissions of the learned counsel on either side, this Court directs the petitioners to give a fresh representation to the 2nd and 3rd respondents within a period of two weeks from the date of receipt of a copy of this order and the same to be considered on merits in accordance with law and pass appropriate orders in the light of the judgement passed by this Court in W.P.No.16009 of 2009 dated 17.09.2010 within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction and observations. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.07.2023

mpa

To

1.The Under secretary Department (LA)
Puducherry.

2.The Director,
Local Administration Department,

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3.The Commissioner, Pondicherry
Municipality, Puducherry.

J.SATHYA NARAYANA PRASAD,J.,
mpa

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