



W.P.(MD)No.3484 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3484 of 2023

Subramaniam

... Petitioner

Vs.

1. The Principal Secretary,
Municipal Administration and Water
Supply Department,
St.Fort George,
Chennai - 600 009.
2. The Director of Town Panchyat,
Directorate of Town Panchyat,
Kuralagam,
Chennai - 600 018.
3. The District Collector,
Thoothukudi,
Thoothukudi District.
4. The Assistant Director,
Town Panchayat,
Tirunelveli, Tirunelveli District.
5. The Executive Officer,
Nazareth Town Panchayat,
Nazareth, Thoothukudi District.



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6. Rajendran,
S/o.Karuppachamy,
Supervisor of Sanitary Workers,
Nazareth Town Panchayat,
Nazareth, Thoothukudi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 5 to appoint the petitioner in the post of Sanitary Worker Supervisor either in the fifth respondent's Panchayat or in any other Panchayat.

For Petitioner	:	Mr.MP.Hariprasad
For Respondents	:	Mr.C.Satheesh
		Govt. Advocate for R1 to R4
		Mr.J.John Rajadurai
		Government Advocate for R5

ORDER

This Writ Petition has been filed for a direction to the respondents 1 to 5 to appoint the petitioner in the post of Sanitary Worker Supervisor either in the fifth respondent's Panchayat or in any other Panchayat.

2. The case of the petitioner is that the petitioner has been working as a Sanitary Worker in the fifth respondent's Panchayat since 1996 and his services were regularised in the year 2001. As per G.O.(Ms)No.150,



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Municipal Administration and Water Supply Department, dated 19.08.1998, the petitioner is entitled for promotion, since he had already completed his seven years of service as early as 2008. But he was not given promotion even though there was a vacancy of Sanitary Worker Supervisor in his Panchayat. Hence, the petitioner has submitted a representation to the respondents on 02.11.2022. Thereafter, the third respondent forwarded his representation to the fourth respondent for appropriate action. But without giving due promotion to the petitioner, the fifth respondent sent an intimation to the petitioner that one Rajendran was appointed as Sanitary Worker Supervisor on compassionate ground, since his father Karuppachamy had sought voluntary retirement on medical grounds. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the fifth respondent is directed to consider the petitioner's representation dated 02.11.2022, on merits and in accordance with law, within a specified period.



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4. The learned Additional Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the fifth respondent to consider the petitioner's representation dated 02.11.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

23.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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