



W.P.(MD).No.25006 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25006 of 2023

and

W.M.P(MD) No.21199 of 2023

N.Balasubramanian

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Secretary to Government,
School Education Department,
Fort St.George,
Chennai – 600 009.

2. The Director of Public Libraries,
Anna Salai,
Chennai – 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to notionally promote the petitioner as District Library Officer and by considering the representation preferred by the petitioner dated 05.02.2021, within the period that may be stipulated by this Court.



W.P.(MD).No.25006 of 2023

For Petitioner : Mr.Mohamed Suhail
For M/s.Ajmal Associates

For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present Writ Petition has been filed by the petitioner seeking a mandamus to direct the respondents to notionally promote the petitioner as District Library Officer, by considering his representation, dated 05.02.2021.

2. According to the learned counsel appearing for the petitioner, the petitioner was initially appointed as a Librarian, Grade – III on 03.10.1981 and he was promoted to Librarian Grade – II on 01.08.2006. He attained superannuation on 30.06.2007.

3. According to the petitioner, on 11.12.1989, the Government issued G.O.(Ms) No.1735, to maintain state-wide seniority (single unit system) for giving promotions to the staffs above the levels of Assistant and Librarian Grade-III only in the Directorate of Public Libraries and Local Library Authorities excluding Connemara Public Library and accordingly a tentative



W.P.(MD).No.25006 of 2023

seniority list in the category of Librarian Grade-III was drawn on 15.03.1990 taking into account the date of regularisation. However, the petitioner's request for granting notional promotion to the post of District Library Officer, with effect from 19.04.2002 was not considered. The petitioner has sent representation to the respondents herein on 05.02.2021.

4. Though the prayer sought for is a mandamus of positive direction, on instructions, the learned counsel appearing for the petitioner submits that the petitioner would be satisfied if a direction is issued to dispose of the representation, dated 05.02.2021.

5. In view of the above said facts, the first respondent is directed to dispose of the representation given by the petitioner on 05.02.2021 within a period of eight weeks from the date of receipt of a copy of this order.



W.P.(MD).No.25006 of 2023

WEB COPY

6. With the above said direction, this Writ Petition stands disposed of.

There shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

16.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Secretary,
School Education Department,
Fort St.George,
Chennai – 600 009.
2. The Director of Public Libraries,
Anna Salai,
Chennai – 600 002.



WEB COPY



W.P.(MD).No.25006 of 2023

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.25006 of 2023

16.10.2023