



W.P.(MD)No.11854 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11854 of 2024

S.Sivakumar

... Petitioner

vs.

1.The Commissioner,
Tamil Nadu State Commission for persons with disabilities,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai - 05.

2.The Commissioner of Municipal Administration,
Commissionerate of Municipal Administration,
No.75, Santhome High Road,
MRC Nagar, R.A.Puram,
Chennai - 28.

3.The Commissioner
Arupukottai Municipality,
Arupukottai,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to promote the petitioner as a record clerk or in any other suitable post in the 3rd respondent municipality by considering the petitioner's



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representations dated 26.07.2023 and 07.06.2023 in light of the order made by the 1st respondent in file No. 007827/LO/2022 dated 11.05.2023 within the time stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.M.Ramesh
Government Advocate for R1 and R2

Mr.N.Dilipkumar for R3

ORDER

Heard Mr.M.Mahaboob Athiff, learned counsel appearing for the petitioner. Mr.M.Ramesh, learned Government Advocate takes notice for R1 and R2 and Mr.N.Dilipkumar, learned counsel takes notice for the third respondent.

2. The petitioner who is working as a Pump Room Attender in the third respondent Municipality has filed this writ petition seeking a direction to the second respondent to promote him as a record clerk or to any other suitable post in the third respondent municipality by considering his representations dated 26.07.2023 and 07.06.2023 in the



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light of the order made by the first respondent in file No. 007827/LO/2022 dated 11.05.2023 within a stipulated time.

3. The petitioner was appointed as a Pump Room Attender in the year 2016 under the quota reserved for physically disabled persons. The grievance of the petitioner is that despite his promotion to the post of Office Assistant / Record Clerk is due, he was not promoted in view of his physical disability and that his representations were also not considered so far. Hence, the writ petition.

4. It is learnt the second respondent is the appropriate authority to pass orders in the representations of the petitioner.

5. In view of the same, the writ petition is allowed and the second respondent is directed to consider the representations of the petitioner dated 26.07.2023 and 07.06.2023 in the light of the orders of the first respondent in file No. 007827/LO/2022 dated 11.05.2023 and pass appropriate orders in accordance with law within a period of four



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weeks from the date of receipt of a copy of this order. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

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R.N.MANJULA, J.

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