



W.P.No.23698 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23698 of 2025
and W.M.P.No.26672 of 2025

Chandran

... Petitioner

Vs.

1.The District Collector (Development Wing),
O/o, the District Collector
Dharmapuri.

2.The Block Development Officer,
Morappur Black, Village Panchayat,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 07.04.2025 and withdraw the letter dated 07.04.2025 vide Na.Ka.No.24532/2022/K3.

For Petitioner : Mr.R.Sudhakar

For R1 : Mr.R.U.Dinesh Raj Kumar
Additional Government Pleader

For R2 : M/s.M.Jayanthi
Additional Government Pleader



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ORDER

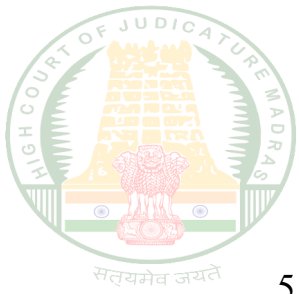
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By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the respondents herein to consider the representation of the petitioner dated 07.04.2025 and withdraw the letter dated 07.04.2025 vide Na.Ka.No.24532/2022/K3.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner was working as a Panchayat Secretary for the past two years and he had joined service under the respondents during 1997. He has sent a representation on 07.04.2025 for relinquishing his promotional right by virtue of Section 47 (2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016. However, such representation is yet to be considered by the 1st respondent.

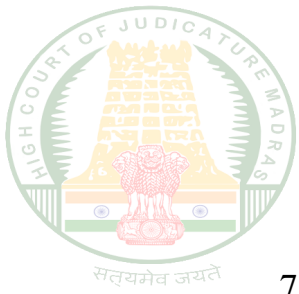


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5. At this juncture, learned Additional Government Pleader appearing for the 1st respondent invite the attention of this Court about the proposal of the Government to consider the Panchayat Secretary for the promotional post of Junior Assistant in the ratio of 20% and further invite the attention of this Court about the provision under Section 57 (1) and (2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, and would submit that such relinquishment of promotion is not a matter of right and it is for the Authorities to take a call on it. The learned Additional Government Pleader would also invite the attention of this Court that when a similar request was received from one R.Perumal, the same was rejected by the Authority, vide order dated 21.05.2025. He would further submit that the petitioner has already been promoted to the post of Junior Assistant, vide order dated 20.06.2025. Hence, there is no merit in the present writ petition.

6. However, the learned Additional Government Pleader appearing for the 1st respondent would fairly submit that the representation of the petitioner is yet to be considered.



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7. In such view of the matter, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 07.04.2025 and pass orders on it's own merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

02.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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To
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C.KUMARAPPAN, J.

dm

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