



W.P.(MD)No.3907 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.3907 of 2025

K.Vasantha

... Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai – 600 009.

2.The Director of Municipal Administration,
Raja Annamalaipuram,
M.R.C.Nagar,
Santhome Highways,
Chennai – 600 028.

3.The Commissioner,
Madurai Corporation,
Madurai – 625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e.,the Secretary to Government, Municipal Administration and Water Supply Department, Chennai to pass appropriate orders on the further proposals sent by the Commissioner of Madurai Corporation, Madurai regarding confirmation of the



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petitioner's promotion as Accounts Officer as per Letter No. 11/016466/2013, dated 20.08.2022, within a specified time frame, that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader

For R3 : Mr.S.Vidhya Sagar

ORDER

This Writ petition has been filed seeking a Mandamus to direct the first respondent to pass appropriate orders on the further proposals sent by the Commissioner of Madurai Corporation, Madurai regarding confirmation of the petitioner's promotion as Accounts Officer as per letter, dated 20.08.2022, within a time frame fixed by this Court.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel for the third respondent.

3. The case of the petitioner is that she joined typist on 23.06.1984 in Madurai Corporation and thereafter promoted as Assistant and Superintendent



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and finally as Accounts Officer with effect from 23.12.2023. She retired from

WEB SERVICE on attaining the age of superannuation on 31.03.2015. Though she was promoted as Accounts Officer with effect from 23.12.2013 as per the amendment to the Service Rules in G.O.Ms.No.179, dated 05.10.2009, she was getting pension after the retirement only in the cadre of Superintendent as per PRO.No.5602, since confirmation order was not received from the Government. The third respondent has sent proposal on 07.10.2015, 16.08.2016, 31.08.2017, 20.08.2022 and finally on 14.09.2023 to the first respondent for getting approval of the promotion of the petitioner as Accounts Officer, but the Government has not passed any orders till date on the proposal sent by the third respondent. Aggrieved by the same, the petitioner has constrained to file this writ petition.

4. Having considered the submissions of the respective learned counsels and on perusal of the materials available on record, it appears that the petitioner is entitled for fixation of pay in the cadre of Accounts Officer and she is also entitled for pension and other retirement benefits in the cadre of Accounts Officer as she was promoted as Accounts Officer with effect from 23.12.2013 and retired on 31.03.2015. As submitted by the learned Standing Counsel for



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the third respondent, Madurai Corporation has sent proposal number of times and finally sent proposal on 14.09.2023, which is pending with the first respondent.

5. In view of the same, in our considered view, it is appropriate and reasonable to dispose of this writ petition at the stage of admission with the consent of both parties without going into the merits of the case with a direction to the first respondent to consider the proposals sent by the third respondent on 14.09.2023 and pass order in accordance with the law within a stipulated time to meet the ends of justice.

6. Accordingly, the writ petition is disposed of with a direction to the first respondent to consider and pass orders on the proposals sent by the third respondent on 14.09.2023 in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

13.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

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BATTU DEVANAND, J.

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