



W.P.(MD)No.26665 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

W.P.(MD)No. 26665 of 2022

J.Alice,
W/o.Late.P.Jayakumar,
No.59A, North Paalakara Street,
Thiruvaidaimaruthur and Post,
Thiruvaidaimaruthur Taluk,
Thanjavur Distirct.

...Petitioner

Vs

- 1.The Director of Town Panchayats,
4th Floor, Kuralagam,
Chennai – 600 018.
- 2.The District Collector,
Collectorate,
Thanjavur,
Thanjavur District.
- 3.The Assistant Director of Town Panchayats,
Regional Office,
District Collector Office Compound,
Thanjavur.

...Respondents



W.P.(MD)No.26665 of 2022

WEB COPY

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to retrospectively promote petitioner's deceased husband Late P. Jayakumar as Head Clerk/Assistant/Executive Officer Grade II with effect from 11.10.2002 and on par with his juniors and to accordingly refix his seniority and grant the consequential further promotion to the post of Executive Officer Grade-I with effect from 27.04.2005 and as Selection Grade Executive Officer Grade-I with effect from 20.06.2007, on par with his junior with full service and monetary benefits as per the order of the Hon'ble High Court of Madras dated 22.06.2011 passed in W.P.No.17765 of 2007 and to accordingly revise the pension of petitioner's husband and also the petitioner's family pension and to pay the arrears thereof.

For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

1. Heard Mr.M.Mohamed Sherbudeen, learned counsel appearing for the Petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the Respondents.



W.P.(MD)No.26665 of 2022

WEB COPY

2. This Writ Petition has been filed under the Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to promote the petitioner's deceased husband Late P. Jayakumar as Head Clerk/Assistant/Executive Officer Grade II with effect from 11.10.2002 retrospectively and on par with his juniors and to accordingly refix his seniority and grant the consequential further promotion to the post of Executive Officer Grade-I with effect from 27.04.2005 and as Selection Grade Executive Officer Grade-I with effect from 20.06.2007, on par with his junior with full service and monetary benefits as per the order of the Hon'ble High Court of Madras dated 22.06.2011 passed in W.P.No.17765 of 2007 and to accordingly revise the pension of petitioner's husband and also the petitioner's family pension and to pay the arrears thereof.

3. Mr.M.Mohamed Sherbudeen, learned counsel for the Petitioner submits that petitioner has submitted a representation dated 11.11.2016 outlining her claim and grievances before the



W.P.(MD)No.26665 of 2022

WEB COPY

Respondents, which finds place at page no.54 of the paper book.

Despite the said representation, the Respondents failed to take action, prompting the Petitioner to file the present Writ Petition seeking the aforementioned prayer.

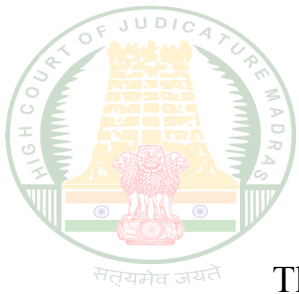
4. Mr.D.Sadiq Raja, the learned Additional Government Pleader for the Respondents, submits that the Respondents are willing to consider the relief sought by the Petitioner if she makes a fresh representation before them, outlining her grievances. The Respondents would then consider and decide on the matter in accordance with the law within the time frame fixed by this Court.
5. The learned counsel for the Petitioner, agreed to the submissions made by the learned Additional Government Pleader for the Respondents and submits that the Petitioner is willing to file a fresh representation before the 3rd Respondent, which may be directed to be disposed of within a specified time frame.



W.P.(MD)No.26665 of 2022

WEB COPY

6. After considering the submissions made by the learned counsels for both parties and perusing the records and averments made in the Writ Petition, this Court deems it appropriate that no useful purpose will be served in keeping this Writ Petition pending before this Court.
7. Accordingly, the Petitioner is directed to file a fresh representation before the 3rd Respondent/The Assistant Director of Town Panchayats, Regional Office, District Collector Office Compound, Thanjavur, detailing her claim and grievances, annexing therewith a certified copy of this order and a copy of her earlier representation dated 11.11.2016, within a period of ten days from today. If any such representation is filed by the Petitioner before the 3rd Respondent as per the time stipulated by this Court, the 3rd Respondent/The Assistant Director of Town Panchayats, Regional Office, District Collector Office Compound, Thanjavur, is directed to consider the same and pass a reasoned and speaking order on merits and in accordance with law, after giving sufficient opportunity to the Petitioner, within a period of six weeks from the date of receipt of such representation.



W.P.(MD)No.26665 of 2022

WEB COPY

The 3rd Respondent shall communicate the order/decision to the Petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks from the date of passing the order/decision.

8. With the above directions, this Writ Petition is finally **disposed of**.

There shall be no order as to costs.

20.06.2025

Index: Yes/No
Web: Yes/No
Speaking/Non Speaking
Nsr



W.P.(MD)No.26665 of 2022

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W.P.(MD)No.26665 of 2022

SHAMIM AHMED, J.

Nsr

W.P.(MD)No.26665 of 2022

20.06.2025