

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.16179 OF 2015

&

M.P.No.1 of 2015

D.Govindaraj

[PETITIONER]

Vs

- 1 The Additional Chief Secretary
and Commissioner for Revenue Administration
Chepauk, Chennai-5.
- 2 The District Collector
Dharmapuri District.
- 3 The District Revenue Officer
Dharmapuri District.

[RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus to call for the records relating to the third respondent vide Proceedings No.Roc.5444/ 15/A3 dated 20.3.2015 and to quash the same and consequently direct the third respondent to regularize the services of the petitioner as Assistant with effect from 27.12.2010.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

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O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come forward with this Writ Petition for issuance of a writ of certiorarified mandamus to quash the proceedings of the third respondent dated 20.3.2015 and to direct the third respondent to regularize his services as Assistant with effect from 27.12.2010.

3.Initially the third respondent by an order dated 09.04.2013, regularised the services of the petitioner as Assistant with effect from 27.12.2010. However, based on the impugned order dated 20.3.2015, cancelled the aforesaid order dated 09.04.2013. According to the petitioner, in view of the aforesaid order, his seniority was seriously affected, his juniors were posted as Deputy Tahsildar and he is not able to get promotion. According to the petitioner, there was some delay in sending him to training offered at Tamil Nadu Land Survey and Settlement Training Institute, Orathanadu, which was the basic reason for all the issues.

4.It is submitted by the learned counsel for the petitioner that the delay in sending the petitioner to the training was not the fault of the petitioner and therefore the same could be taken note of by the third respondent while deciding the issues.

5.Taking note of the fact that the impugned order cancelling the earlier order dated 09.04.2013 has been passed without notice and without hearing the petitioner, the impugned order is quashed and the Writ Petition is allowed and the matter is remanded back to the third respondent to pass orders, after hearing the petitioner, within a period of eight weeks. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The Additional Chief Secretary
and Commissioner for Revenue Administration
Chepauk, Chennai-5.
- 2 The District Collector
Dharmapuri District.
- 3 The District Revenue Officer
Dharmapuri District.

1 CC to Mr.S.Vijayakumar, Advocate SR.No. 27432
1 CC to the Government Pleader, SR.No. 28110

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SAI (CO)
PSI (17.06.2015)