

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19532 of 2015

G.Alagappan

... Petitioner

vs.

1.The Inspector General of Registration,
O/o.The I.G.of Registration,
Santhome High Road, Chennai - 600 028.

2.Tamilsuvai

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the first respondent herein to consider the case of the petitioner for promotion to the post of Sub Registrar Grade II to which he is eligible with effect from 24.06.2011 the date on which his junior respondent 2 was promoted as Sub Registrar with notional service benefits and increased pension payable to the petitioner.

For Petitioner : Mr.S.Vadivelu

For Respondents : Ms.M.E.Raniselvam
Addl.Govt.Pleader

O R D E R

The petitioner was appointed as Office Assistant in the Registration Department on 27.05.1977. He was promoted as Record Clerk on 01.06.1989. Thereafter, he was appointed as Junior Assistant by the first respondent, by proceedings dated 23.06.1993. Subsequently, by proceedings of the first respondent dated 21.12.2000, he was appointed as Assistant. The service of the petitioner as Assistant was regularised with effect from 04.01.2001.

2. The first respondent issued seniority list of Assistants, dated 08.02.2010, wherein, the petitioner was shown at Sl.No.656 (as on 01.01.2010) and at Sl.No.747 (as on 01.04.2009), whereas, the second respondent was shown at Sl.No.846 (as on 01.01.2010) and at Sl.No.942 (as on 01.04.2009).

3. Thereafter, by proceedings dated 25.02.2011 another seniority list was published by the first respondent and the petitioner ranks at 365 (as on 01.01.2011) and at 656 (as on 01.01.2010), while the second respondent ranks at 548 (as on 01.01.2011) and at 846 (as on 01.01.2010).

4. According to the petitioner, the second respondent, who was shown as junior to the petitioner was promoted as Sub-Registrar Grade II by the first respondent, by proceedings dated 24.06.2011. Hence, the petitioner made repeated representations to promote him as Sub-Registrar Grade II from the date on which, the second respondent was promoted.

5. In the mean time, the petitioner retired from service as Assistant on 31.05.2012. Thereafter also, he sent representations dated 08.07.2013 and 21.01.2015 to the first respondent to promote him as Sub-Registrar Grade II from the date on which his immediate junior was promoted on notional basis, so that he would be granted pension and other benefits accordingly. Since no order is passed, the petitioner has come up with the present writ petition.

6. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner would be satisfied in case a direction is issued to the first respondent to dispose of the representation dated 25.10.2011 and the reminders dated 08.07.2013 and 21.01.2015, within a stipulated period.

7. In view of the narrow prayer now made, the writ petition is disposed of by directing the first respondent to consider and pass orders on the representation of the petitioner dated 25.10.2011 and the reminders dated 08.07.2013 and 21.01.2015 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

सत्यमेव जयते

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

svki

To

The Inspector General of Registration,
O/o.The I.G.of Registration,
Santhome High Road, Chennai - 600 028.

+1 cc to Mr.S.Vadivelu (SR.33095)
+1 cc to Government pleader (SR.33649)

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TM (CO)
YJ 23.07.15



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