

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2013

CORAM

The Honourable Mr.JUSTICE D. HARIPARANTHAMAN

Writ Petition No.20544 of 2015

B.Baskaran

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District.
2. The Principal Commissioner & Commissioner of
Revenue Administration,
Chepauk,
Chennai - 600 005.
3. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 600 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 06.02.2014 and 21.01.2015 and implement the order of this Honourable Court passed on 18.07.2011 in W.P.No.2943 of 2006 in all respects.

For Petitioner : Mr.S.Rameshkumar

For Respondents : Mr.S.Gunasekaran,
Government Advocate.

सत्यमेव जयते

O R D E R

Mr.S.Gunasekaran, learned Government Advocate takes notice for the respondents.

2. With consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner has already approached this Court in W.P.No.2943 of 2006(O.A.No.1161 of 2004) for non-inclusion in the panel for promotion for the post of Tahsildar in the year 1998. This

Court allowed the said writ petition on 18.07.2011. The penultimate paragraph of the order dated 18.07.2011 is extracted hereunder.

"6. As stated above, the petition ranked at No.1 in the 1995 list of Deputy Tahsildar of Kancheepuram District, but due to administrative reasons, he joined as Deputy Tahsildar belatedly on 12.03.1997 and he completed the probation belatedly on 12.03.1999. The petitioner should not be penalised for the administrative lapses. In similar circumstances, the 1st respondent issued Government Orders referred to above and granted necessary relaxation and included those persons at the appropriate panel. In my view, the same treatment should be given to the petitioner. Hence, the impugned order is quashed. The 1st respondent is directed to consider the case of the petitioner for inclusion in the 1998 panel of Tahsildar of Kancheepuram District, by granting necessary relaxation to rules 8(a) and 7(b) of the Special Rules for the Tamil Nadu Revenue Subordinate Service Rules, and to include him at the appropriate place and to pass consequential orders, granting promotion. It is made clear that inclusion of the petitioner in 1998 panel of Tahsildar and the consequential promotion would be only on notional basis. The writ petition is disposed of, with the above directions. No costs."

4. The grievance of the petitioner is that though he has made various representation including the representation dated 6.2.2014 and 21.01.2015, the order is yet to be complied with.

5. I have perused the order dated 18.7.2011. In the penultimate paragraph, while allowing the writ petition, this Court did not state any time frame for implementation of the order. Taking advantage of the same, the respondent has not acted on it for the past four years. Hence, a direction is issued to the first respondent to comply with the order dated 18.07.2011 within a period of two weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
Kancheepuram District.
2. The Principal Commissioner & Commissioner of
Revenue Administration,
Chepauk,
Chennai - 600 005.
3. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 600 009.

+1cc to Mr.S.Ramesh Kumar, Advocate, S.R.No.35171
+1cc to the Government Pleader, S.R.No.35149

W.P.No.20544 of 2015

RV(CO)
CA(15/07/2015)



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