

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28344/2015 & MP.No.1/2015

P.Manoharan

... Petitioner

Versus

- 1.The Secretary
State of Tamil Nadu
Revenue Department
Secretariat, Fort St George
Chennai 600 009.
- 2.The Chief Secretary & the Commissioner
of Revenue Administration, Ezhilagam
Chepauk, Chennai 600 005.
- 3.The District Collector
O/o.the District Collector
Tiruvarur Town and District.
- 4.The District Revenue Officer
Thiruvarur, Office of DRO
Thiruvarur Town and District.
- 5.The Tahsildar
Nannilam Taluk, Thiruvarur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the 3rd respondent to draw a seniority list for promotion to the post of Village Administrative Officer, considering the date of joining for fixing the seniority as per G.O.Ms.No.254, Revenue, dated 09.07.2015 and consequently promote the petitioner as Village Administrative Officer from Village Assistant forthwith.

For Petitioner : Mr.P.Thangarajan

For R1 to R5 : Mr.R.Vijayakumar, AGP

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner joined the service as Village Assistant on 02.09.1985 under the services of the 3rd respondent and at present, working as Village Assistant at Kurunkulam Village, Nannilam Taluk, Thiruvarur District. The petitioner would state that G.O.Ms.No.570, Revenue, dated 26.12.2014 was issued reserving 20% for promotion to the post of Village Administrative Officer from the Village Assistants and the said Government Orders prescribes other qualifications and in this regard, details were also sought for from all the District Collectors and accordingly, the details in respect of Thiruvarur District were also furnished. The grievance now expressed by the petitioner is that in all the Districts, the date of joining as village assistant, is taken up to determine the seniority. However, in Thiruvarur District, the seniority is fixed on the basis of the age and in this regard, the State Unit of Tamil Nadu Revenue Village Assistants Association has sent a representation to the 1st respondent on 18.02.2015 and so far no orders have been passed and subsequently, the Revenue Department has issued G.O.Ms.No.254, Revenue dated 09.07.2015 contemplating guidelines for promotion to the post of Village Administrative Officers and in spite of it, the 1st respondent did not address the grievance expressed by the Association and hence, the petitioner came forward to file this writ petition.

3.Learned counsel for the petitioner would submit that it would be suffice to direct the 1st respondent to dispose of the representation dated 18.02.2015 submitted by the State Unit of Tamil Nadu Revenue Village Assistants Association in the light of G.O.Ms.No.254, Revenue dated 09.07.2015 within a stipulated time frame.

4.This Court heard the submissions Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5.Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances, without going into the merits of the representation submitted by the State Unit of Tamil Nadu Revenue Village Assistants Association, directs the 1st respondent to consider and dispose of the representation dated 18.02.2015 submitted by the said Association on merits and in accordance with law, taking note of G.O.Ms.No.254, Revenue, dated 09.07.2015 and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

6.The writ petition is disposed of accordingly. No costs.
Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

AP

To

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- 5.The Tahsildar
Nannilam Taluk,
Thiruvarur District.

+1 cc to Mr.P.Thiagarajan,Advocate(sr.49054)

+1 cc to Government Pleader(sr.49255)

TEJ(co)
cp 16/09/2015

W.P.No.28344/2015