

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31060 of 2015

And

M.P.No.1 of 2015

A.Vijayarani

.. Petitioner

Vs.

1 The Additional Chief Secretary/
Commissioner of Revenue Administration
Chepauk, Chennai-600 005.

2 The District Collector
Namakkal District, Namakkal.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to include the petitioner in the list of Promotion as Tahsildar within the Namakkal Revenue District along with her juniors vide proceedings in Roc. 1861/2012/A2 dated 04.02.2013 of the 1st respondent and to step up the pay of the petitioner on par with juniors as per fundamental rules with all benefits attached thereto..

For Petitioner : Mr.K.A.Mariappan

For Respondents : Mr.N.Srinivasan
Additional Government Pleader

O R D E R

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

2. The petitioner while working as the Deputy Tahsildhar, was visited with disciplinary proceedings in TDP Case No.10 of 2011 and the Commissioner, Tribunal for Disciplinary Proceedings, Coimbatore vide proceedings dated 17.05.2014 concluded charge nos.2, 4 and 5 framed against the petitioner have not been proved. The grievance expressed by the petitioner is that on account of the pendency of the charge memo, her name was deferred for promotion to the post of Tahsildhar and in the light of the fact that the charges in the disciplinary proceedings have not been proved, there cannot be any impediment for the respondents for inclusion of her name in the panel for promotion drawn in year 2012

and confer her with consequential benefits and in this regard, has also submitted a representation dated 22.09.2015 to the second respondent and since no orders have been passed, came forward to file this writ petition.

3. Heard the submissions of Mr.K.A.Mariappan, learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representation dated 22.09.2015 on merits and in accordance with law 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.

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

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Sd/-
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

1 The Additional Chief Secretary/
Commissioner of Revenue Administration
Chepauk Chennai-600 005.

2 The District Collector
Namakkal District, Namakkal.

+1 C.C. To MR.K.A.Mariappan, Advocate in SR.NO.53429

+1 C.C. To Government Pleader in SR.NO.53682

W.P.No.31060 of 2015
And
M.P.No.1 of 2015

SV(CO)
sd : 14/10/2015