

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32069 of 2015

And

M.P.No.1 of 2015

L.Govindarasu

... Petitioner

Vs.

- 1 The Government of Tamilnadu
rep. by Secretary to Government, Revenue
Department, Secretariat, Chennai-9.
 - 2 The Commissioner of Revenue
Administration, Chepauk, Chennai.
 - 3 The District Collector,
Ariyalur District, Ariyalur.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to include the name of the petitioner in the appropriate place in the ensuing panel for promotion to the post of Deputy Tahsildar in Ariyalur District for the year 2015 and to promote the petitioner as such, without prejudice to his claim for empanelment and promotion as Deputy Tahsildar for the year 2011 in the light of the representations.

For Petitioner : Mrs.N.Revathi
for M/s.M.Ravi
For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

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

2.The petitioner was initially appointed as Junior Assistant on compassionate grounds on 24.09.2001 and got promotion as Assistant in the year 2006 and according to him, he became fully eligible for being empanelled for promotion to the post of Deputy Tahsildar. The petitioner would further state that while serving as Revenue Inspector, Ariyalur, he was visited with disciplinary proceedings under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules alleging certain lapses and simultaneously disciplinary proceedings were initiated against the Tahsildar and Deputy Tahsildar also and de hors the pendency of the disciplinary proceedings, some of them were given promotion and the petitioner was over-looked and his name was not included in the panel for promotion to the post of Deputy Tahsildar for the year 2011.

3.The petitioner in this regard, has also filed W.P.No.27767 of 2012 praying for appropriate direction directing the respondents therein to finalise and to pass orders in the disciplinary proceedings and this Court has disposed of the said writ petition by directing the respondent to complete the disciplinary proceedings within a period of three months. Ultimately, the disciplinary proceedings culminated in the order dated 23.07.2014 imposing the penalty of stoppage of increment for two years with cumulative effect. The petitioner once again made a challenge to the said order and it is still pending.

4.According to the petitioner, the currency of the Government Order in G.O.(2D) No.594, Revenue Department, dated 23.07.2014 will be over on 22.07.2016 and hence, there is no impediment on the part of the respondent to consider his name for the post of Deputy Tahsildar and in this regard has also submitted a representation dated 14.09.2015 to the third respondent and since no orders have been passed, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to consider and dispose of the petitioner's representation dated 14.09.2015 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.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

pri

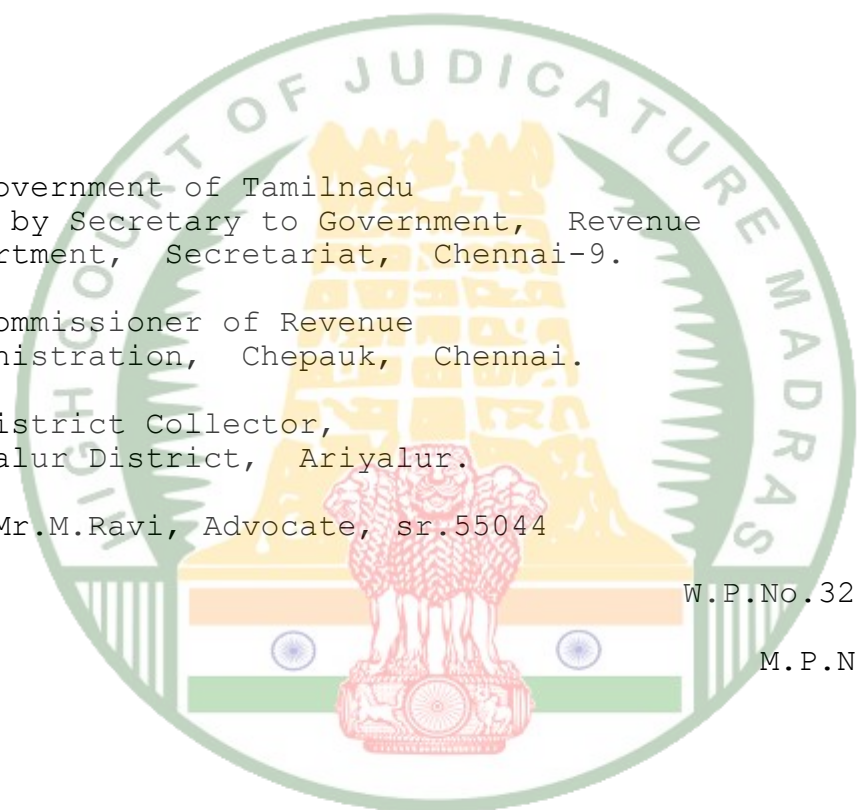
To

- 1 The Government of Tamilnadu
rep. by Secretary to Government, Revenue
Department, Secretariat, Chennai-9.
- 2 The Commissioner of Revenue
Administration, Chepauk, Chennai.
- 3 The District Collector,
Ariyalur District, Ariyalur.

+1 cc to Mr.M.Ravi, Advocate, sr.55044

W.P.No.32069 of 2015
And
M.P.No.1 of 2015

ksj co
kra 19/10



सत्यमेव जयते

WEB COPY