

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2926 of 2016

P.Kalpana

..Petitioner

Vs

- 1 The Secretary to Government
of Tamil Nadu,
Commercial Taxes and
Registration Department,
Fort St. George,
Chennai-9.
 - 2 The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai.
- ..Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's case for promotion to the Post of District Registrar for the year 2014-2015 without reference to the Charge Memo issued on 7.1.2016 in the light of orders passed by this Hon'ble Court in W.A. No.2520/2013 dated 6.3.2014 W.P. No.28351/2012 dated 23.8.2013 and W.P. No.15031/2010 dated 16.7.2010.

For Petitioner : Mr.V.Vijaya Shankar

For Respondents: Mrs.M.E.Raniselvam
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The learned counsel appearing for the petitioner would submit that though the petitioner has filed the present writ petition seeking for promotion to the post of District Registrar for the year 2014-2015 without reference to the charge memo issued on 07.01.2016, it would be suffice to issue a direction

to the respondents to consider the representation of the petitioner dated 20.01.2016 in the light of the order passed by this Court dated 06.03.2014 in W.A.No.2520 of 2013.

3. The case of the petitioner is that he was appointed as Sub Registrar, Grade - II, on 01.09.2008. She completed her probation in the year 2010 and thereafter, she was promoted as Sub-Registrar, Grade - I, in the year 2011. Her next avenue of promotion is District Registrar.

4. The petitioner would state that as per the proceedings of the Inspector General of Registration, a panel was prepared for the year 2014-2015 for promotion to the post of District Registrar. Since there is no criminal proceedings pending against the petitioner, her name was included in the panel. But due to the issuance of charge memo dated 07.01.2016, her name was withheld and therefore, she made a representation dated 20.01.2016. since it was not considered, the present writ petition has been filed.

5. Mr.V.Vijaya Shankar, learned counsel appearing for the petitioner would submit that the issue involved in the writ petition is squarely covered by the order of this Court in W.P.No.28351 of 2012 dated 23.08.2013, which is also confirmed by the Division Bench of this Court in W.A.No.2520 of 2013 dated 06.03.2014.

6. Heard the submissions of Mr.V.Vijaya Kumar, learned counsel appearing for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

7. This Court, considering the submission of the learned counsel appearing for the petitioner and without going into the merits of this case, directs the first respondent to consider the representation of the petitioner dated 20.01.2016, in the light of the above cited judgment and pass appropriate orders on merits and in accordance with law, 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.

The writ petition is disposed of accordingly. No costs.

sms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

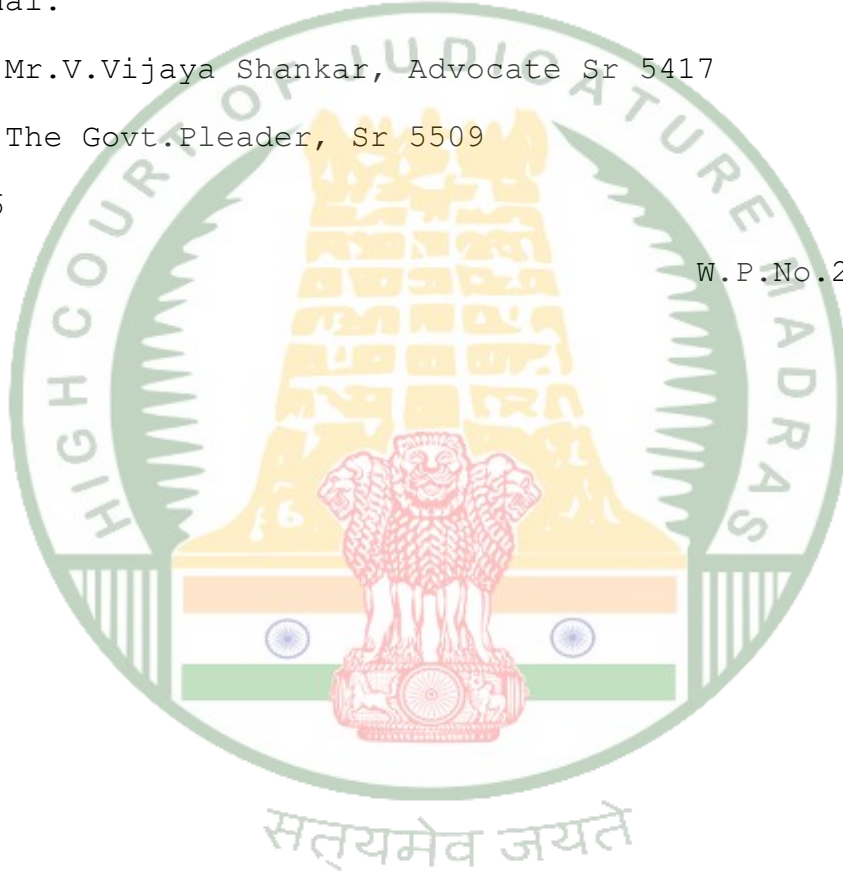
- 1 The Secretary to Government of Tamil Nadu,
Commercial Taxes and Registration Department,
Fort St. George, Chennai-9.
- 2 The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai.

+ 1 cc to Mr.V.Vijaya Shankar, Advocate Sr 5417

+ 1 cc to The Govt.Pleader, Sr 5509

KR/29/1/16

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