

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.10.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.37374 of 2016

P.Ramamoorthy

... Petitioner

Vs.

1 The Principal Secretary
Cum Revenue Administration Commissioner
Ezhilagam,
Chepauk,
Chennai - 600 005.

2 The District Collector
Krishnagiri District,
Krishnagiri.

3 The Sub Collector
Hosur,
Krishnagiri District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to consider and pass order in the Appeal dated 15.12.2015 filed by the petitioner herein in accordance of law within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.O.Selvam

Government Advocate

सत्यमेव जयते

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the first respondent herein to consider and pass orders in the Appeal dated 15.12.2015 filed by the petitioner herein in accordance of law within a stipulated period.

3.The petitioner would state that he is working as Revenue Inspector in the office of the third respondent. He joined the service as Draughtsman in the Land Measurement Department of the then Dharmapuri District. The State of Tamilnadu vide G.O.Ms.No.248, Revenue, dated 20.03.1993 allotted the Draughtsman from the said department to the unified Dharmapuri District Revenue Division and pursuant to that, the third respondent vide proceedings dated 10.11.1995 released the petitioner from the said department and the petitioner was directed to join the Palacode Taluk Office on 22.11.1995 as Junior Assistant and his service was regularized by G.O.Ms.No.205, Revenue (Service 9-2) dated 24.05.2002. Thereafter, the petitioner underwent training at Bhavani Sagar and on successful completion of the training, Training Certificate was also issued to him.

4.The petitioner would further state that the then District Revenue Officer, vide proceedings dated 20.05.2011 placed him in the third position for promotion to the post of Revenue Inspector but had erroneously placed one M.Vijayakumar and M.Elango before the petitioner. The above said persons joined their services as Junior Assistant, after the petitioner joined his service as Junior Assistant. Thereafter, the petitioner joined as Revenue Inspector at Sulagiri on 23.05.2011 and subsequently, vide proceedings of the Tahsildar, Hosur dated 26.04.2013, he was transferred to the post of Upper Divisional Revenue Inspector in the office of the Special Tahsildar (Land Acquisition) SIPCOT, Hosur and accordingly, he joined the service on 26.04.2013. Thereafter, vide proceedings of the District Revenue Officer, Krishnagiri, dated 25.02.2015, the petitioner was transferred to Hosur, Revenue Office and he was also given additional charge for the earlier place also.

5.The petitioner would further state that during the year 2015, a panel for the promotional posts of Deputy Collector was prepared by the second respondent, but neither his name was included in the said panel nor the reason for non inclusion of his name has been communicated to him. Hence, the petitioner preferred an appeal dated 15.12.2015 before the first respondent. But the same was not considered so far. Hence, this petition.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate who take notice for the respondents.

7.Considering the submissions made on either side and without going into the merits of the claim projected by the petitioner, this Court directs the first respondent to consider the petitioner's appeal dated 15.12.2015, on merits and in

accordance with law and after affording opportunity of personal hearing to the petitioner and all other necessary parties, pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1 The Principal Secretary
Cum Revenue Administration Commissioner
Ezhilagam,
Chepauk,
Chennai - 600 005.
- 2 The District Collector
Krishnagiri District,
Krishnagiri.
- 3 The Sub Collector
Hosur,
Krishnagiri District.

+1 cc to Mr.K.Govi Ganesan Advocate sr 60814
+1 cc to Government Pleader sr 61576

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