

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.8950 of 2016 and
W.M.P. Nos.7956 to 7958 of 2016

P.Selvam

.. Petitioner

-VS-

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

2.The Commissioner of
Revenue Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

3.The District Collector,
Chennai District,
Chennai-600 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus, calling for all relevant records relating to the impugned Government order in G.O. (Ms) No.278 Revenue (Ser-I) Department dated 21.07.2015, issued by the 1st respondent, proposing the list of Thasildars eligible to be promoted to the post of Deputy Collectors, by Recruitment-by-Transfer, for the panel year 2014-15, in the Revenue Department, herein to quash the same as arbitrary, improper, unjust, unconstitutional, due to non-inclusion of eligible persons by inclusion of junior persons, thereby direct the 1st and 2nd respondents to implement the Government Order in G.O. (2D) No.502 Revenue (Ser 10(2)) Department dated 10.10.2012, with respect to the petitioner, for the inclusion of the petitioner in the list of Tahsildars for the panel year 2010 and consequently promote the petitioner to the post of Deputy Collector for the panel year 2014-15 with due seniority and service benefits.

For petitioner : Mr.P.K.Rajesh Praveen Kumar
For respondents : Mr.A.Kumar,
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner, P.Selvam, seeking a direction to respondents 1 and 2 to implement the Government Order in G.O. (2D) No.502 Revenue (Ser 10(2)) Department dated 10.10.2012, with respect to the petitioner in the list of Tahsildars for the panel year 2010 and consequently promote him to the post of Deputy Collector for the panel year 2014-15 with due seniority and service benefits.

2.The grievance of the petitioner is that he has been appointed as Junior Assistant and has been promoted to the post of Tahsildar. According to him, he is eligible to be promoted to the post of Deputy Collector for the panel year 2014-15. Though he has been included in the year 2010 panel of Tahsildars, he has not been included in the year 2014-15 panel to be promoted as Deputy Collector. However, respondents 1 and 2 have appointed one S.Banu, Tahsildar from Kancheepuram District Revenue Unit for the panel year 2010 coming under Scheduled Caste category, as Deputy Collector for the panel year 2014-15. As he is also a similarly placed person as that of the above said Banu, he is also eligible to be promoted to the post of Deputy Collector for the panel year 2014-15. Based on the above said impugned G.O. (2D) No.502 Revenue (Ser 10(2)) Department dated 10.10.2012, the respondents are proceeding with the appointment of the Deputy Collectors.

3.Learned counsel for the petitioner would submit that though similarly placed persons as that of the petitioner are being promoted to the post of Deputy Collector, the petitioner has not been considered by the respondents.

4.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5.As the claim of the petitioner is to consider his promotion as that of the similarly placed persons, without going into the merits of the case, this Court directs the petitioner to furnish a fresh representation along with this copy of the order to respondents 1 and 2, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, respondents 1 and 2 shall consider and pass orders, on merits and in accordance with law, within a period of eight weeks thereafter, in the light of the G.O. (2D) No.502 Revenue (Sev 10(2)) Department dated 10.10.2012

6.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected W.M.Ps are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.
- 2.The Commissioner of
Revenue Administration,
Ezhilagam, Chempauk,
Chennai-600 005.
- 3.The District Collector,
Chennai District,
Chennai-600 001.

+2ccs to M/s. P.K. Rajesh Praveen Kumar, Advocate, S.R.No.15931

+1cc to the Government Pleader, S.R.No.15701

MP(CO)
EU(22/04/2016)

सत्यमेव जयते

W.P. No.8950 of 2016

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