



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2016

CORAM:

WEB COPY

THE HONOURABLE **MRS.JUSTICE PUSHPA SATHYANARAYANA**

W.P(MD)No.6822 of 2016

S.Ravichandran

... Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Department of Revenue,
Secretariat, Chennai.

2.The Commissioner of
Revenue Administration,
Chepauk, Chennai - 5.

3.The District Collector,
Pudukkottai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 to send the necessary documents to the first respondent at once as required by him and further direct the first respondent to grant relaxation of Rule 7(b) of Tamilnadu Revenue Subordinate Service Rules to the petitioner in order to include petitioner's name in the panel of Tahsildhar for the year 2010 within a reasonable time to be granted by this Court.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The prayer in the writ petition is for the issue of a writ of mandamus to direct the respondents 2 and 3 to send the necessary documents to the first respondent at once as required by him and further direct the first respondent to grant relaxation of Rule 7(b) of Tamilnadu Revenue Subordinate Service Rules to the petitioner in order to include petitioner's name in the panel of



Tahsildhar for the year 2010 within a reasonable time to be granted by this Court.

2. Heard the learned counsel appearing on either sides.

3. The petitioner is working as Head Clerk, who is facing charge memo issued against him and the name of the petitioner was not included in the panel of Tahsildar for the year 2012. The petitioner has submitted his application to grant relaxation as contemplated under Section 7(b) of Tamil Nadu Revenue Subordinate Service Rules in order to include his name in the list of panel for the year 2010. According to the petitioner, a person, junior to him, has been granted such relaxation of Rule 7(b) of Tamil Nadu Revenue Subordinate Service Rules. The third respondent has also sent a proposal to the second respondent recommending to relax the Rule and include the name of the petitioner in the panel of Tahsildar for the year 2010. The second respondent has also sent a proposal to the first respondent in this regard. The first respondent now sought for some documents from the second respondent with regard to relaxation of Rules. The second respondent has also forwarded some of the documents. But few of the documents have not been sent. As the petitioner is having only two more years of service and his name has to be included in the panel of Tahsildar, he is seeking issuance of writ of mandamus directing the respondents 2 and 3 to send necessary documents to the first respondent at the earliest as required by him for the purpose of granting relaxation of Rule 7(b) of Tamil Nadu Revenue Subordinate Service Rules as required by the first respondent, which are mentioned in the letter dated 23.09.2015.

4. Considering the limited prayer sought for by the petitioner, the respondents 2 and 3 are directed to send the necessary documents as required by the first respondent as mentioned in the letter dated 23.09.2015 within a period of four weeks from the date of receipt of copy of this order. On receipt of the same, the first respondent is directed to consider the case of the petitioner on merits and in accordance with law thereafter.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar



To

1.The Principal Secretary to
Government of Tamil Nadu,
Department of Revenue, Secretariat, Chennai.

2.The Commissioner of
Revenue Administration, Chepauk, Chennai - 5.

3.The District Collector, Pudukkottai.

+one cc to M/s.P.Ganapathi Subramanian, Advocate in SR.No.19455
+one cc to The Special Government Pleader in SR.No. 19702

CM

CSL/AAL-MPA/21.04.2016 :3p/6c

W.P (MD) No.6822 of 2016
06.04.2016