



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P (MD) No.14852 of 2013

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M.Sheik Haneef : Petitioner

Vs.

1. The Secretary to Government,
Department of Commercial Taxes and Registration,
Fort St. George, Chennai - 600 009.
2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 600 005.
3. The Joint Commissioner of Commercial Taxes,
Trichy Division, Thiruchirappalli. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to revise the petitioner's appointment as Junior Assistant with effect from his date of appointment (viz., 02.02.1996) and further direct the respondents to provide subsequent promotions by taking into account of the petitioner's service rendered in the cadre of record clerk with effect from 02.02.1996 and in the cadre of Junior Assistant with effect from 12.02.2000 and in the cadre of Assistant with effect from 08.12.2006 and in the cadre of Deputy Commercial Tax Officer with effect from 03.06.2013 along with back wages and other monetary benefits within a time frame as may stipulated by this Court.

For Petitioner : Mr.J.Pooventhera Rajan

For Respondents : Mr.K.Guru
Additional Government Pleader

O R D E R

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, to direct the respondents to revise the petitioner's appointment as Junior Assistant with effect from his date of appointment (viz., 02.02.1996) and further direct the respondents to provide subsequent promotions by taking into account of the petitioner's service rendered in the cadre of record clerk with effect from 02.02.1996 and in the cadre of Junior Assistant with effect from 12.02.2000 and in the cadre of Assistant with effect from 08.12.2006 and in the cadre of Deputy



Commercial Tax Officer with effect from 03.06.2013 along with back wages and other monetary benefits within a time frame as may stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

3. After elaborate arguments, the learned counsel appearing for the petitioner would submit that it would suffice if the application of the petitioner is disposed of by conducting proper enquiry, by the first respondent, on merits and in accordance with law within the time stipulated by this Court.

4. The learned Additional government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law.

5. In view of the above, the Writ Petition is disposed of with a direction to the first respondent to consider the representation dated 01.08.2011, by giving personal opportunity in the light of the order passed by this court in W.P.No.69 of 2010, dated 22.04.2010, within a period of four weeks from the date of receipt of receipt of copy of this order. No costs.

Sd/-

Assistant Registrar[CS-I]

/True copy/

Sub Assistant Registrar/

To

1. The Secretary to Government,
Department of Commercial Taxes and Registration,
Fort St. George, Chennai - 600 009.
2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 600 005.
3. The Joint Commissioner of Commercial Taxes,
Trichy Division, Thiruchirappalli.

+1cc to Mr.J.Pooventhera Rajan, Advocate, SR.78880.

PMU

KK-RR-ME-20.01.17-2P-5C

ORDER MADE IN
W.P (MD) No.14852 of 2013
01.12.2016



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