

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.21300 of 2017

P.Banumathi

... Petitioner

Vs.

1. State of Tamil Nadu,
Represented by its Secretary to Government,
Commercial Taxes Department,
Secretariat, Chennai-9.

2. The Additional Chief Secretary/
The Commissioner,
Commercial Taxes Department,
Ezhilagam, Chepauk,
Chennai-5.

... Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider and pass orders on the representation made by the petitioner on 7.7.2017 requesting to promote the petitioner (Direct Recruits of the year 2012) in the cadre of Deputy Commercial Tax Officer to the post of Commercial Tax Officer with all consequential benefits by relaxing the provisions of Rule 6(d) of the Tamil Nadu Commercial Taxes Subordinate Services Rules as granted in favour of similarly placed others in G.O.(D) No.278, Commercial Taxes and Registration (A1) Department dated 15.6.2016 and Proc.No.P1/21111/2015-I dated 1.8.2017 on the file of the second respondent.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.S.Kanmani Annamalai,
Additional Government Pleader
(Taxes)

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner on 7.7.2017 and pass orders with regard to her claim for promotion to the post of Deputy Commercial Tax Officer.

2. The learned counsel appearing for the writ petitioner states that the writ petitioner is working as Deputy Commercial Tax Officer and she has completed all the required departmental examinations in December 2013 and her probation was also declared on 1.1.2015. Accordingly, the writ petitioner is eligible for promotion to the post of Commercial Tax Officer. However, the writ petitioner was not promoted on account of the relaxation orders to be passed by the Government for approval of the panel for the year 2014-2015.

3. The learned Additional Government Pleader, appearing on behalf of the respondents, made a submission that the proposals were already submitted, in which the name of the writ petitioner is also included.

4. Thus, this Court is inclined to direct the first respondent to consider the representation submitted by the writ petitioner on 7.7.2017 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation and other relevant documents along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Secretary to Government,
State of Tamil Nadu,
Commercial Taxes Department,
Secretariat, Chennai-9.

2.The Additional Chief Secretary/
The Commissioner,
Commercial Taxes Department,
Ezhilagam, Chepauk,
Chennai-5.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.60471

+1cc to the Government Pleader, S.R.No.60824

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PVS (CO)
CA (20/09/2017)