

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :30.08.2017
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.Nos.23286 and 23287 of 2017

M.Sureshkumar ... Petitioner in W.P.No.23286/2017
D.Kavitha ... Petitioner in W.P.No.23287/2017

vs

1.The Additional Chief Secretary,
Commercial Taxes and Registration (A1) Department,
Fort St.George,
Chennai-9.

2.The Additional Chief Secretary/Commissioner,
Commercial Taxes,
Chepauk, Chennai-05.

... Respondents

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to re-fix the date of appointment and to declare the probation on par with his juniors/batchmates who got directly recruited as ACTO (now DCTO) of the year 2012 with all consequential service and monetary benefits including him in the regular panel of the year 2015 to the post of Commercial Tax Officer.

For Petitioner in both petitions: S.Sivakumar

For RR 1 & 2 in both petitions : Mr.S.Kanmani Annamalai,
AGP (Taxes)

COMMON ORDER

Though the relief sought for in these writ petitions are for a direction to the respondents 1 and 2 to re-fix the date of appointment and to declare the probation on par with his juniors / batchmates, who got directly recruited as ACTO of the year 2012 with all consequential service and monetary benefits including the writ petitioners in the regular panel of the year 2015 for promotion to the post of Commercial Tax Officer.

2. The learned counsel appearing for the writ petitioner restricted the prayer by stating that it is suffice if a direction is issued to consider the representation submitted by the writ petitioners on 06.07.2017 by M.Sureshkumar and on 21.07.2017 by Srimathi. Kavitha.

3. In view of the fact that the writ petitioners have submitted the representation with regard to the refixation of date of appointment as well as for consequential promotion on par with the juniors, the second respondent is directed to consider the representations submitted by the writ petitioners on 06.07.2017 and on 21.07.2017, respectively 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.

3. Accordingly, the writ petitions stand disposed of. However, no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Chief Secretary,
Commercial Taxes and Registration (A1) Department,
Fort St.George,
Chennai-9.

2.The Additional Chief Secretary/Commissioner,
Commercial Taxes,
Chepauk, Chennai-05.

+2 ccs to Mr.S.Sivakumar Advocate sr 63162
+2 ccs to Special Government Pleader (T) sr 63159 & 63160

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sai(co)
aa25/09/2017