

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15528 of 2017

V.A.Kumaresan

.. Petitioner

-vs-

1. The Secretary to Government
Revenue Department
Fort St.George
Chennai 600 009
 2. The Additional Chief Secretary and
Commissioner of Revenue Administration
Chepauk, Chennai
 3. The District Collector
Vellore District, Vellore
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's appeal dated 28.09.2015 seeking for inclusion of petitioner's name in the temporary list of Deputy Collector for the year 2014-15 at the appropriate serial No.14 on the basis of the petitioner's seniority.

For Petitioner:: Mr.G.Jeremiah

For Respondents:: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner, while serving as Junior Assistant in the Revenue Department, received promotion as Revenue Inspector at Alangayam Village. Thereafter, he was issued with a charge memo under Rule 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules on 23.1.2008 alleging that he had wrongly recommended five members for receiving the old age pension. However, it is the claim of the petitioner that the charge alleged in the said charge memo, on being found as not established subsequently, was dropped on 30.6.2011. But, in the meanwhile, in view of the pendency of the charge memo, his promotion to the post of Tahsildar from the post of Deputy Tahsildar was withheld. Therefore, he has approached the respondents to include his name in the panel drawn for the post

of Tahsildar for the year 2010 with the representation dated 28.12.2011. Since no action was taken, he came to this Court with W.P.No.22901 of 2014 seeking a direction to consider his representation for inclusion in the panel for promotion to the post of Tahsildar for the year 2010 and this Court, by order dated 25.8.2014, directed the respondents to consider his representation in accordance with law within a period of four weeks. Thereafter, the petitioner's name was included in the revised panel of Tahsildar for the year 2010 at Serial No.1A. Later on, when the first respondent drew a temporary list of Deputy Collectors for the year 2014-15, again his name has been omitted. Therefore, he has given an appeal on 28.9.2015. But the same has not been considered. Hence he is before this Court seeking a direction to the respondents to consider his appeal.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, taking notice on behalf of the respondents, sought time to consider the petitioner's appeal.

3. This Court, considering the limited prayer made by the petitioner, without going into the merits, hereby directs the respondents to consider the pending appeal of the petitioner on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

ss

To

1. The Secretary to Government
Revenue Department
Fort St.George
Chennai 600 009
2. The Additional Chief Secretary and
Commissioner of Revenue Administration
Chepauk
Chennai
3. The District Collector
Vellore District
Vellore

+1 CC to Mr.G. Jermiah, Advocate sr 43570

+1 CC to Govt. Pleader sr 44194

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SKS (CO)

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