



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:24.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. (MD) No.15932 of 2017

and

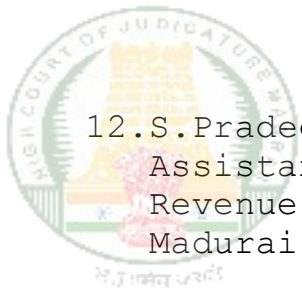
W.M.P. (MD) No.12597 of 2017

- 1.N.C.Menaka.
- 2.J.M.Devi
- 3.S.Rajalakshmi
- 4.G.Malarmullai
- 5.R.Veeramani
- 6.A.Rajarajeswari
- 7.G.Brindha
- 8.S.Subbulakshmi
- 9.K.Mohanraj
- 10.R.Venkatesh
- 11.R.Manikandan
- 12.S.S.Ravindran
- 13.K.Suman
- 14.K.Ibrahim Sait
- 15.U.Muruganadham
- 16.M.Manimegalai
- 17.T.R.Srinivasan
- 18.S.Priya
- 19.S.Kavitha
- 20.M.Mohideen Abdul Kadar
- 21.M.Alagurathinam
- 22.S.Rajkumar



Vs.

- https://hcservices.courts.gov.in/hcservices/Taluk.



12.S.Pradeepa,
Assistant,
Revenue Divisional Office,
Madurai.

13.M.Gomathi,
Assistant,
Taluk Office,
Vadipatti.

14.J.Karthikeyan,
Assistant,
South Taluk Office, Madurai.

15.R.Manikandan,
Assistant,
Civil Supplies, Madurai Central Zone,
Madurai.

16.R.Dhamotharan,
Assistant,
Civil Supplies, West Zone,
Madurai.

17.S.Rajalakshmi,
Assistant,
Taluk Office,
Madurai East.

18.G.Mohan Sundar,
Assistant,
Collector Office,
Madurai.

19.M.R.Muthulakshmi,
Assistant,
Collector's Office, Madurai.

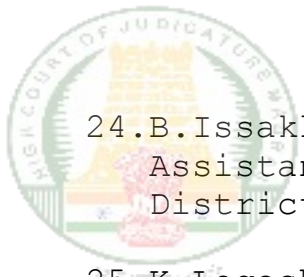
20.S.Sentheeswari,
Assistant District Supply Office,
Madurai.

21.A.Gulsar Parvin,
Assistant, Spl. Deputy Collector, (Stamps),
Madurai.

22.M.Meenakshi Sundaram,
Assistant, Civil Supplies, East Zone,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>

23.A.Malathi,
Assistant, Taluk Office, Madurai South.



24.B.Issakki Muthukumar,
Assistant,
District Supply Office, Madurai.

25.K.Logeshwari,
Assistant,
Collector's Office, Madurai.

26.K.Gopalakrishanan, Assistant,
Taluk Office, Usilampatti.

27.K.Jaiakanthan,
Assistant, Collector's Office,
Madurai.

28.C.Mugipallan,
Assistant,
Taluk Office, Madurai North.

29.R.Lakshmi Priya,
Assistant, Taluk Office,
Madurai East.

30.P.Sekar,
Assistant, Under Suspension.

31.A.Poomaiee,
Assistant, Revenue Divisional Office,
Melur.

32.K.Thirunavukarasu,
Assistant, Collector's Office,
Madurai.

33.V.Veeramurugan,
Assistant,
Taluk Office, Peraiyur.

34.T.M.Senthilkumar,
Assistant,
Collector's Office, Madurai.

35.S.Ramalakshmi,
Assistant,
Taluk Office, Thirumangalam.

36.L.G.Bibin Subash,
Assistant, Revenue Inspector,
Madurai Taluk Office,
Madurai.



50.B.Rengalakshmi,
Assistant, Taluk Office,
Vadipatti.

51.D.Gowri,
Assistant, Taluk Office,
Melur.

52.B.Senthil Kumar,
Assistant,
Taluk Office, Thirupparankundram.

53.G.Sharmila,
Assistant, on Leave.

54.P.Mayilerinathan,
Assistant,
Taluk Office, Usilampatti.

55.S.Alabudin,
Assistant, Taluk Office,
Melur.

56.B.Rajesh,
Assistant,
Taluk Office, Madurai North.

57.M.Ragupathi,
Assistant, Taluk Office,
Tirumangalam.

58.M.Pandia Rajan,
Assistant,
Taluk Office, Peraiyur.

59.A.S.Karthick babu,
Assistant,
Taluk Office, Melur.

60.P.Veerakumar,
Assistant,
Taluk Office, Vadipatti.

61.G.Aravindhan,
Assistant,
Taluk Office, Vadipatti.

62.N.S.Kannan,
Assistant,
Taluk Office, Madurai East.



63.N.Velu,
Assistant,
Taluk Office, Melur.

64.R.Krishnan,
Assistant,
Taluk Office, Vadipatti.

65.S.Santhi,
Assistant,
Taluk Office, Melur.

66.M.Malarkodi,
Assistant,
Taluk Office, Thirumangalam.

67.P.Pushpa Priya,
Assistant,
Taluk Office, Thirumangalam.

68.M.Subbaiah,
Assistant,
Taluk Office, Peraiyur.

69.A.Gulam hussian,
Assistant,
Taluk Office, Melur.

70.R.Murugan,
Assistant,
Taluk Office, Thirumangalam.

71.B.Shanmuga Lakshmi,
Assistant,
Taluk Office, Thirumangalam.

72.O.S.Venkateshan,
Assistant,
Taluk Office, Usilampatti.

73.R.Mathavan,
Assistant,
Taluk Office, Madurai West.

74.B.Chitradevi,
Assistant,
Taluk Office, Usilampatti.

<https://hcservices.ecourtservice.in>
75.M.Srinivasan,
Assistant,
Taluk Office, Madurai West.



76.R.S.Muthuraman,
Assistant,
Taluk Office, Thirumangalam.

77.R.Tamil Elizhalan,
Assistant,
Taluk Office, Madurai East.

78.R.Prabu,
Assistant,
Taluk Office, Madurai South.

79.C.Kandhasamy,
Assistant,
Taluk Office, Usilampatti.

80.S.Sundarapandi,
Assistant,
Taluk Office, Melur.

81.R.Veerannan,
Assistant,
Taluk Office, Madurai East.

82.R.Muneeswaran,
Assistant,
O/o. The Assistant Director Mines, Madurai.

83.V.Mountpattan,
Assistant,
Taluk Office, Peraiyur.

84.M.Sasikumar,
Assistant,
Taluk Office, Thirumangalam.

85.K.Sumathi,
Assistant,
Taluk Office, Melur.

86.G.Saravanakumar,
Assistant,
Taluk Office, Usilampatti

87.K.Alagukumar,
Assistant,
Taluk Office, Vadipatti.

88.M.Eswari,
Assistant,
Taluk Office, Peraiyur.



89.M.Dharmalingam,
Assistant,
Taluk Office, Madurai East.

90.S.Kannaki,
Assistant, under Suspension.

91.Karthikai rani,
Assistant,
Taluk Office, Usilampatti.

92.Arumugam @ Selvakumar,
Assistant,
Collector's Office, Madurai.

93.G.Vadivel,
Assistant,
Taluk Office, Vadipatti.

94.P.Manikandan,
Assistant,
Taluk Office, Usilampatti.

95.P.Thangapandian,
Assistant,
Collector's Office, Madurai.

96.A.Sanjai Gandhi,
Assistant,
Collector's Office, Madurai.

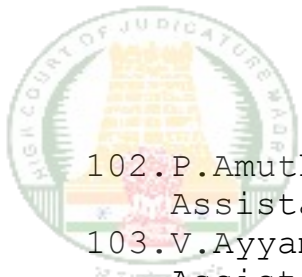
97.Rashidha barvin
Assistant,
O/o. The Addl. Divisional Exercise, Madurai.

98.M.Vanarajan,
Assistant,
O/o. District Backward Class and Minority Welfare Office,
Madurai.

99.V.Bala,
Assistant,
Revenue Divisional Office, Usilampatti.

100.S.I.Shanthi,
Assistant,
Collector's Office, Madurai.

<https://hcservices.ecps.gov.in/reserved>,
Assistant,
Taluk Office, Thirumangalam.



102.P.Amutha,
Assistant, Taluk Office, Thirumangalam.
103.V.Ayyamal,
Assistant,
O/o. The Divisional Exercise Office, Madurai.

104.S.Rajaguru,
Assistant,
Revenue Divisional Office, Madurai.

105.K.v.Mariappan,
Assistant,
Taluk Office, Peraiyur.

106.B.Thirumurugan,
Assistant,
Collector's Office, Madurai.

107.B.Vinoth Kumar,
Assistant,
Taluk Office, Thirumangalam.

108.A.G.S.S.Manian,
Assistant,
Election Section, O/o. The Corporation, Madurai.

109.B.Saravanan,
Assistant,
Taluk Office, Vadipatti.

110.D.Venkatesan,
Assistant,
Revenue Divisional Office, Usilampatti.

111.S.Manjula,
Assistant,
Taluk Office, Peraiyur.

112.R.Jansi,
Assistant,
Taluk Office, Peraiyur.

113.R.Shanthi,
Assistant,
O/o.The Spl. Deputy Collector, (Stamps), Madurai.

114.N.Krithika,
Assistant,
Taluk Office, Madurai North.



115.M.Manju,
Assistant,
Taluk Office, Madurai South.

116.K.Marimuthu,
Assistant,
Taluk Office, Usilampatti.

117.T.R.Murugesan,
Assistant,
Taluk Office, Usilampatti.

118.S.Valli,
Assistant,
Taluk Office, Madurai East.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to draw the year wise panel from 2011 before promoting the candidates to the post of Deputy Tahsildar by fixing the seniority between the direct recruits and the promotees as per the quota rule and also following the law settled in Rathinaswami's case reported in (2009) 5 SCC 625 with all monetary and service benefits.

For Petitioners	: Mr.R.Singaravelan, Senior Counsel for Mr.D.Selvanayagam
For R1,R2,R4&R5	: Mr.D.Muruganantham Additional Government Pleader
For R3	: Mr.K.K.Senthil

O R D E R

All the petitioners are serving as Promotive Assistants in various Taluk Offices in Madurai Revenue District. All of them got a common grievance that the respondents have not prepared any year wise panel from the year 2011.

2.For coming to the post of Deputy Tahsildar by fixing the seniority between the direct Recruit Assistants and Promotive Assistants as per the quota rule, the learned Senior counsel for the petitioners would submit that when the issue between the direct Recruit Assistants and Promotive Assistants are all settled by the Apex Court in the case of **Rathinaswami and others v. State of Tamil Nadu and others** reported in **2009(5) SCC 625**, the same may be followed, as it is not done. Therefore, a direction may be issued to the respondents to prepare the seniority list to promote the eligible candidates to the post of Deputy Tahsildar, as per Annexure IX (Referred to in Rule 38(b)(ii) of the Tamil Nadu Ministerial Service Rules.



3. Drawing notice of this Court to the Circular dated 16.06.2017 in Roc. No.28512/2017/A1 with regard to the drawal of Deputy Tahsildar for the year 2017, issued by the District Collector, Madurai, requesting all the Subordinate Officers to send proposals for the drawal of Deputy Tahsildar in respect of persons, who have attained the qualification mentioned as on 15.09.2017, in the Proforma enclosed therein, the learned senior counsel submitted that pursuant to the said proceedings dated 16.06.2017, applications may be invited from all the persons concerned by the District Collector within a reasonable time and thereafter, a direction may be issued to prepare the seniority list in Madurai Revenue District.

4. The learned Additional Government Pleader for the respondents 1 and 2 sought time to take instructions as to whether any further development has taken place after the proceedings issued by the District Collector dated 16.06.2017.

5. The learned counsel for the 3rd respondent submitted that after the proceedings dated 16.06.2017 issued by the District Collector, Madurai, objections, if any from the affected persons, should be invited and thereafter, seniority list will be prepared to the post of Deputy Tahsildar by fixing the seniority between the direct recruit Assistants and Promotive Assistants as per Annexure IX (Referred to in Rule 38(b)(ii) of the Tamilnadu Ministerial Service Rules.

6. It appears that there is no panel drawn from the year 2011 to the post of Deputy Tahsildar in the Madurai Revenue District. Therefore, keeping in mind that the District Collector has already issued Circular dated 16.06.2017, the respondents are directed to complete the said exercise, on merits and in accordance with law, preferably, within a period of four months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

<https://hcceremitservicesforrevenueadministration.ezhilagam.chepauk.chennai>



3.The Secretary,
Tamil Nadu Public Service Commission,
Chennai.

4.The District Collector,
Madurai District,
Madurai.

5.The District Revenue Officer,
Madurai District,
Madurai.

+1cc to M/S.D.SELVANAYAGAM, Advocate SR.No.74726
+1cc to M/S.K.K.SENTHIL, Advocate SR.No.74951
+1cc to Special Government Pleader, SR.No. 74774

RR
MAS/SV-MMS/SAR1:12.09.2017:13P-9C

W.P. (MD) No.15932 of 2017
24.08.2017