



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WP(MD)No.17287 of 2017

Shanmuganathan, S/o.Pillarsamy

... Petitioner

vs.

1. The Principal Secretary-cum-
Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai.

2. The Secretary to the Government,
Revenue Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

3. The District Collector,
O/o.District Collector,
Sivagangai.

4. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangai.

5. The Tahsildar,
O/o. The Tahsildar,
Manamadurai,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 19.08.2017 and consequently, direct them to sanction monetary and other benefits to the petitioner because of the initial reversion in the post of Office Assistant with effect from 18.03.1991 while working at the fifth respondent Office vide proceedings in A4/1549/91, dated 18.03.1991, by the fourth respondent and further direct them to fix his seniority in the post of Office Assistant with effect from 18.03.1991 with all other accrued benefits.



For Petitioner : Mr.R.Senthil Kumar
For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

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Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal.

2.The petitioner was appointed as Masalchi on daily wage basis by the fourth respondent on 30.11.1988. Thereafter, he was promoted as Night Watchman by the fourth respondent on 31.12.1990 and posted at fifth respondent office. Again, he was further promoted as Office Assistant by the fourth respondent on 18.03.1991 and posted at the fifth respondent office. Subsequently, he was reverted to the post of Night Watchman at the fifth respondent office by the fourth respondent on 02.07.1991. Further, he was again promoted as Office Assistant by the fourth respondent on 31.12.1991. Thereafter, once again, he was reverted as Night Watchman at the fifth respondent office by the fourth respondent on 31.01.1992. Subsequently, the fourth respondent promoted the petitioner as Office Assistant on 27.07.1992. Again, the petitioner was reverted as Night Watchman by the fourth respondent on 29.03.1993. After the said reversion, finally considering the petitioner's request, the fourth respondent promoted him as Office Assistant on 06.03.2017 and the petitioner is also discharging his duties in the said post as of now. Because of the arbitrary action on the part of the respondents, thereby reverting and promoting the petitioner in the higher post of Office Assistant on the basis of his educational qualification, the petitioner has lost his seniority on comparison with others, who have been promoted as Office Assistants. The petitioner has lost monetary benefits also. Hence, the petitioner gave a representation on 19.08.2017 to the respondents to consider his grievances. Since the said representation has not been considered by the respondents, the petitioner has been constrained to move this Court by way of filing the present writ petition.

3.Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered in accordance with law, within a time frame to be fixed by this Court.

4.Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the fourth respondent to consider the representation of the petitioner, dated 19.08.2017, 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.



With the above direction, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary-cum-
Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai.
 2. The Secretary to the Government,
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 3. The District Collector,
O/o.District Collector,
Sivagangai.
 4. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangai.
 5. The Tahsildar,
O/o. The Tahsildar,
Manamadurai,
Sivagangai District.
- + 1 CC TO MR.R.Senthil Kumar, ADVOCATE IN SR No.78526
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.78801

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MK/SV MMS/SAR-1/28.09.2017/3P/8C

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