

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.24954 of 2018

P.Ponnaiyan

..... Petitioner

Vs

1. Government of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009.

2. The Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.

3. The District Collector,
Namakkal District, Namakkal.

4. The Tahsildhar,
Namakkal Taluk,
Namakkal

..... Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent to pass orders on the representation of the petitioner's claim in the light of the proposals of the 4th respondent in Na.Ka.No.9906/2014/A1 dated 10.11.2014 and Lr.Na.Ka.No.10768 /2015/A3 dated 20.05.2015 for grant of relaxation in favour of the petitioner from passing the Departmental Tests and to issue consequential directions to respondents 2 and 3 to include the name of the petitioner in the appropriate place in the panel for the year 2015 for promotion as Deputy Tahsildhar in Namakkal District Revenue unit and to grant notional promotion as such with retrospective effect for the date of promotion of his immediate junior with consequential benefits including Revision of Retirement and Pensionary benefits.

For Petitioner : Mr.M.Ravi
For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

O R D E R

The grievance of the petitioner is that non-consideration of his representation dated 26.09.2017 made to the 1st respondent to exempt him from passing in the departmental examination inasmuch as, he has crossed the age limit of 53 years and also inspite of five attempts, he could not clear the same and hence, the petitioner has come to this Court seeking a direction to the 1st respondent to pass orders on the representation of the petitioner's claim in the light of the proposals of the 4th respondent in Na.Ka.No.9906/2014/A1 dated 10.11.2014 and Lr.Na.Ka.No.10768 /2015/A3 dated 20.05.2015 for grant of relaxation in favour of the petitioner from passing the Departmental Tests and to issue consequential directions to respondents 2 and 3 to include the name of the petitioner in the appropriate place in the panel for the year 2015 for promotion as Deputy Tahsildhar in Namakkal District Revenue unit and to grant notional promotion as such with retrospective effect for the date of promotion of his immediate junior with consequential benefits including Revision of Retirement and Pensionary benefits

2. During the course of hearing, the learned counsel appearing for the petitioner submits that it would suffice if a direction is given to the 1st respondent to consider his representation dated 26.09.2017 within in a time frame.

3. Mrs.R.Janaki, learned Additional Government Pleader who accepts notice on behalf of respondents submits that the representation if pending, shall be disposed of by the 1st respondent within a reasonable period.

4. Considering the limited nature of the relief sought for by the petitioner and the submission of learned counsel appearing for the parties, this Court dispose of this writ petition at the stage of admission without seeking any reply affidavit, with a direction to the 1st respondent to take an informed and considered decision on the representation of the petitioner keeping in mind the G.O.Ms.No.1120 amended in Government Lr.No.9140/Ser.No./89-11, P&AR Department dated 20.11.1989 within a period of six weeks from the date of receipt of copy of this order, if there is no other legal impediment. However, it is made clear that this Court has not expressed any opinion on the merits of such representation submitted by the

petitioner in any particular manner. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1. Government of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.
3. The District Collector,
Namakkal District, Namakkal.
4. The Tahsildhar,
Namakkal Taluk,
Namakkal

+1cc to Mr.M.Ravi, Advocate SR.No.66012

+1cc to Government Pleader SR.No.66271

GMV (08/10/2018)

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