

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 20.07.2018
CORAM

The Hon'ble Mr. Justice Satrugana Pujahari

W.P.No.18445 to 18448 of 2018

1. T.Ravichandran	... Petitioner in WP.No.18445/18
2.K.Pandian	... Petitioner in WP.No.18446/18
3.N.Balu	... Petitioner in WP.No.18447/18
4.G.Arunachalam	... Petitioner in WP.No.18448/18

Vs.

- 1 The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St.George, Chennai-600 009.
- 2 The Commissioner,
Commercial Taxes Department,
Chepauk, Chennai. ... Respondents in all Wps.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 & 2 to promote the petitioners as Commercial Tax Officers by considering their individual representations dated 16.04.2018 and 19.04.2018 respectively within a reasonable time.

For Petitioners in all Wps. : Mr.S.Sivakumar
For Respondents in all Wps : Mr.M.Hariharan
Additional Government Pleader(T)

COMMON ORDER

Heard Mr.S.Sivakumar, the learned counsel appearing for the petitioners and Mr.M.Hariharan, the learned Additional Government Pleader (for Tax), who accepts notice on behalf of the respondents. With consent of the learned counsel on either side, these Writ Petitions are taken up for disposal.

2. These Writ Petitions have been filed by the petitioners seeking a direction to the respondents to consider the proposal sent by the Joint Commissioner so as to accord promotion to the petitioners, which has been denied owing to a punishment in a disciplinary proceedings. Though the petitioners have made individual representations in this regard, but, the same are yet to be disposed of, and as such, they have filed these Writ Petitions seeking a direction to the respondents to consider their representation for promotion, vis-a-vis, proposal of the Joint Commissioner recommending the names of the petitioners for promotion, in accordance with law and to accord promotion to them.

3. The learned Additional Government Pleader for the respondents, during the course of hearing, submits that, the respondents have no objection to consider the representations of the petitioners for promotion vis-a-vis the proposal in accordance with law within the period to be stipulated by this Court.

4. Considering the limited prayer sought for by the petitioners, and after hearing the learned counsel appearing for the parties, this Court is of the view that no useful purpose is going to be served by seeking a counter/reply affidavit from the respondents in these Writ Petitions. Hence, this Court disposes of the Writ Petitions at the stage of admission, with a direction to the respondent concerned to take an informed and considered decision on the representations of the petitioners for promotion vis-a-vis proposal, if any, submitted by the Joint Commissioner to the respondent/Department, in this regard, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediments. However, it is made clear that this Court has expressed no opinion on the merits of such proposal vis-a-vis representations made by the petitioners in any manner.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1 The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St.George, Chennai-600 009.

2 The Commissioner,
Commercial Taxes Department,
Chepauk, Chennai.

+4cc to Mr.S.Sivakumar, Advocate, S.R.Nos.48428, 48422,48425,
48426

+1cc to the Government Pleader, S.R.No.49079

W.P.No.18445 to 18448 of 2018

UMR(CO)
SMI/03.08.2018