



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.809 of 2018

R.Shanmugalakshmi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of Commercial Taxes and Registration,
Fort St.George, Chennai-600 009.

2. The Principal Secretary/
Commissioner of Commercial Taxes, (Sales Tax)
Ezhilagam, Chepauk, Chennai-600 005.

3. The Joint Commissioner of State Taxes,
Madurai Division, Madurai-20.

4. The Deputy Commissioner of State Taxes,
Sivagangai.

5. S.Dhanalakshmi,
Deputy State Tax Officer,
Mahal Assessment circle,
Madurai-20.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to pass orders on the representation of the petitioner dated 10.01.2014 and to grant promotion retrospectively with effect from 10.01.2014 on par with the fifth respondent and to include the petitioner in the 2013 seniority panel above the fifth respondent and to pay all the benefits from 10.01.2014 to 11.09.2014.

For Petitioner : Mr.M.Md.Ibrahim Ali
For Respondents : Mr.J.Gunaseelan Muthiah for
R1 to R4
Additional Government Pleader
No Appearance for R5

ORDER

<https://hcservices.ecourts.gov.in/hcservices/> Heard the learned counsel on either side.

2.By consent of both the parties, the main Writ Petition is



taken up for final disposal.

3.The petitioner is presently working as Deputy Commercial Tax Officer. The petitioner's grievance is that the fifth respondent is actually her junior, but that she was granted promotion earlier. Therefore, the petitioner wants re-fixation of her seniority ranking as well as the grant of retrospective promotion on par with the fifth respondent. In this regard, the petitioner has given representation dated 10.01.2014.

4.The second respondent is the competent authority to dispose of the petitioner's representation. It is made clear that this Court has not expressed any opinion on the merits of the matter. It is open to the second respondent to pass orders one way or the other. If third parties are involved, before passing final orders, they have to be put on notice.

5.With these directions and observations, the second respondent is directed to pass final orders on the petitioner's representation dated 10.01.2014 on or before 30.04.2018.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
the State of Tamil Nadu,
Represented by its,
Department of Commercial Taxes and Registration,
Fort St.George, Chennai-600 009.
2. The Principal Secretary/
Commissioner of Commercial Taxes, (Sales Tax)
Ezhilagam, Chepauk, Chennai-600 005.
3. The Joint Commissioner of State Taxes,
Madurai Division, Madurai-20.
4. The Deputy Commissioner of State Taxes,
Sivagangai.

+ 1 CC TO Mr.MOHAMED IBRAHIM ALI, ADVOCATE IN SR No. 51387
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 51626

TSG

TE/SV/SAR-1 : 24/04/2018 : 3P/7C

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