



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.9387 of 2015

C.Sahayamary

... Petitioner

-vs-

The District Collector,
Sivagangai District,
Sivagangai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent i.e. the District Collector, Sivagangai to implement the orders issued in his proceedings No.A1/23652/13, dated 04.03.2014 in respect of the petitioner by issuing orders of posting as Deputy Tahsildar within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondent : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

The petitioner was working as Assistant in the Revenue Department in Sivagangai District. The next promotion post is that of Deputy Tahsildar. The writ petitioner's name was included in the approved list of Deputy Tahsildar for the year 2013. Notification in this regard was issued on 04.03.2014. it is admitted either side that said panel was implemented and promotions were actually given to the empaneled candidates only on 19.06.2014. Unfortunately for the writ petitioner, a charge memo and rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, came to be issued on 29.04.2014.

2.It is also set out in the counter affidavit filed by the respondent that the said proceedings ended in penalty on 02.11.2015. Since between the empanelment on the petitioner and before grant of actual promotion, charges came to be framed against the writ petitioner under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, the writ petitioner was rightly denied promotion.



3.I find no merit in this petition. Accordingly, this Writ
Petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

/True copy/

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Sub Assistant Registrar

To

The District Collector,
Sivagangai District,
Sivagangai.

+1cc to Mr.S.VISVALINGAM,Advocate,SR. 45335

+1cc to M/S.Special Government Pleader,SR. 45970

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CP/ARUL

KK/KKR/SAR 1/21.02.2018/ 2P- 4C/