



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A. (MD)No.1019 of 2018

and

C.M.P. (MD)No.7143 of 2018

1.The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai-600 009.

2.The Principal Secretary -cum- Commissioner,
Commissionerate of Survey and Settlement,
Survey House, Chepauk,
Chennai-5.

3.The Assistant Director,
District Survey Office,
Thoothukudi.

4.The Tahsildar,
Srivaigundam,
Thoothukudi District.

: Appellants/Respondents

Vs.

K.Jeyaraman

: Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent against the order of Writ Court dated 10.12.2013, made in W.P.(MD) No.2010 of 2010.

Prayer in WP(MD). 2010/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records pertaining to the Impugned Order in Na.Ka.Ka3/7129/09-3 (Ni.A) dated 31-07-2009 on the file of the Respondent No.2 and quash the same as illegal and consequently to direct the Respondent No.2 to include the Petitioner in the panel for promotion to the post of Inspector of Survey for the year 2009-2010.

For Appellants

: Mr.A.K.Baskarapandian,
Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/>
For Respondent

: Mr.T.Lajapathi Roy

**J U D G M E N T***********

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

The issue involved in this Writ Appeal is as to whether the punishment of withholding increments would constitute a bar for being considered for promotion.

2. This issue has already been considered by a Full Bench of this Court in **the Deputy Inspector General of Police, Thanjavur Range v. V.Rani** reported in **2011(3) CTC 129**, wherein it was held that such a punishment would not make an employee being considered for promotional post during his currency of punishment.

3. In such view of the matter, the order of the learned Single Judge dated 10.12.2013, made in W.P.(MD)No.2010 of 2010, stands set aside and the Writ Appeal is allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS-I)

TO

- 1.The Secretary to Government,
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- 4.The Tahsildar, Srivaigundam,
Thoothukudi District.

+1 CC To MR.T.LAJAPATHI ROY, Advocate SR. NO. 82236

Judgment made in
W.A. (MD)No.1019 of 2018
IN WP (MD) .2010/10

SML

TR/SV/SAR-I(03.10.2018)2P 6C