



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.11.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WEB COPY

W.P.(MD)Nos.23610 to 23613 of 2018
and
W.M.P.(MD) Nos.21397 & 21398, 21399 & 21400, 21401 & 21402
and
21403 & 21404 of 2018

J.Geena	...Petitioner in W.P.(MD) No.23610 of 2018
R.Nagaveni	...Petitioner in W.P.(MD) No.23611 of 2018
P.Syed Ali Fathima	...Petitioner in W.P.(MD) No.23612 of 2018
R.Chandraprabha	...Petitioner in W.P.(MD) No.23613 of 2018

Vs.

- 1) The Additional Chief Secretary / Commissioner ,
of Revenue Administration,
Revenue Administration,
Chepauk, Chennai 600 009
- 2) The District Collector,
Kanyakumari District,
Nagercoil
- 3) The District Revenue Officer,
Office of the District Collectorate,
Nagercoil,
Kanyakumari District.
- 4) The Personal Assistant (General) to Collector,
Officer of the District Collector,
Nagercoil,
Kanniyakumari District. ... Respondents in all W.P.'s

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 1st respondent in R.C.No.SerIV(3) /34746/2017 dated 30.08.2018 and the consequential order issued by the 3rd respondent in A3/24460/2017 dated 16.11.2018 and the consequential order issued by the 4th respondent in A1/35933/2018 dated 16.11.2018 and quash the same as illegal.



For Petitioners : Mr.K.P.Krishna Doss
in all W.P's

For Respondents : Mr.A.Muthukarappan,
in all W.P's Additional Government Pleader

WEB COPY

COMMON ORDER

Since the issue involved in all the writ petitions are one and the same, they are taken up for disposal by this Common order.

2. Heard the learned counsel for the petitioner and learned Additional Government Pleader appearing for the respondents and perused the materials placed before this Court.

3. These batch of writ petitions have been filed by the Revenue Assistants working in the Revenue Department, who have opted for conversion in the light of Rule 9(E) of the Tamil Nadu Ministerial Service Rules. Though the petitioners, who were earlier appointed as Village Administrative Officer (V.A.O.,) were posted as Revenue Assistant, by virtue of conversion, later through the proceedings of the Commissioner of Revenue Administration dated 30.08.2018, the conversion into Junior Assistant was found to be erroneous and was set aside. Direction has been issued to the Appointing Authority to pass orders afresh as per the rules in force and also in merits while drawing the revised panel.

4. Learned counsel for the petitioner herein contends that by the virtue of above order, the writ petitioners were reverted back to the post of V.A.O., by the third respondent vide order dated 16.11.2018.

5. The order of the first respondent indicates that the Appointing Authority has to pass appropriate orders as per the Rules in force and also on merits while drawing the revised panel and if aggrieved, revision can be filed before the Principal Secretary to the Government, Revenue Department and Disaster Management within a period of 30 days from the date of receipt of a copy of that order. It appears, the petitioners have not preferred revision against the order of the first respondent. Hence, in pursuance of the first respondent's direction, the third respondent has passed an order on 16.11.2018 after expiry of revision period. Since, revision remedy which has been mentioned in the first respondent's order is not availed by the petitioners, this Court finds no merits to entertain this writ petition at this stage.

6. The petitioner is given liberty to prefer revision petition before the Principal Secretary to the Government, Revenue and Disaster Management within a period of 15 days from the date of receipt of a copy of this order. On such receipt of the revision, appropriate orders shall be passed and thereafter, the order of the



third respondent may be given effect. With these directions, these writ petitions are disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

WEB COPY

/True Copy/

Sd/-

Assistant Registrar(CO)

Sub Assistant Registrar(CS-II)

To

- 1) The Additional Chief Secretary / Commissioner ,
of Revenue Administration,
Revenue Administration,
Chepauk, Chennai 600 009
- 2) The District Collector,
Kanyakumari District,
Nagercoil.
- 3) The District Revenue Officer,
Office of the District Collectorate,
Nagercoil,
Kanyakumari District.
- 4) The Personal Assistant (General) to Collector,
Officer of the District Collector,
Nagercoil,
Kanniyakumari District.
5. The Principal Secretary to the Government,
Revenue Department and Disaster Management,
Chennai.

+1CC to Mr.K.P.Krishna Doss, Advocate, SR.No.97303
+1CC to the Special Government Pleader SR.No.97602

W.P. (MD) Nos.23610 to 23613 of 2018
28.11.2018

STS

ES/SKN/RSK/SAR 2/04.12.2018/3P/8C