

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.736 of 2019

T.Sundaramoorthy

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Petitioner

Vs

1 State of Tamilnadu
rep.by its Principal Secretary to Government
Commercial Taxes and Registration
Secretariat, Chennai 600 009.

2 Inspector General of Registration
100, Santhome High Road
Mylapore, Chennai 600 004.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct the first respondent to pass appropriate orders refixing the petitioner's seniority and empanelment and to promote the petitioner as District Registrar with effect from 31.01.2001 to grant the petitioner all benefits including revised retirement and pensionary benefits and consequential benefits within limited time frame.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.P.P.Purushothaman,
Government Advocate

सत्यमेव जयते
O R D E R

A charge memo dated 19.09.2003 was issued against the petitioner under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules on the charge of causing financial loss to the department to the tune of Rs.59,70,901/-. Subsequently, the petitioner was suspended from service and was also not permitted to retire from services by an order dated 30.09.2013, which was challenged in W.P.Nos.4505 and 4506 of 2015. This Court, by an order dated 08.05.2017, set aside the order of suspension. Pursuant to the same, the order of suspension was revoked and the petitioner was permitted to retire from services by G.O.(D) No.413 dated 14.11.2017. It is

the claim of the petitioner that due to the aforesaid disciplinary proceedings and the order of suspension, the petitioner was not considered for the promotion to the post of District Registrar. Hence, the petitioner submitted a representation dated 22.09.2018 for revision of seniority and retrospective promotion with effect from 31.1.2001 and to provide him the consequential service benefits including revised retirement benefits. The said representation was not considered. Hence, the petitioner has filed the present writ petition.

2. Mr.P.P.Purushothaman, learned Government Advocate takes notice for the respondents. Heard the learned counsel on either side and perused the materials placed on record.

3. In view of the limited relief sought for during arguments, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 22.09.2018 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The rincipal Secretary to Government,
Commercial Taxes and Registration
Secretariat, Chennai 600 009.

2.Inspector General of Registration, 100, Santhome High Road
Mylapore, Chennai 600 004.

+1cc to Mr.Ravi, Advocate, S.R.No. 3151
+1cc to the Government Pleader, S.R.No.3278

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GN(04/02/2019)