

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.19837 of 2004

S. Umarani

... Petitioner

Vs.

1. Regional Deputy Director of
Survey & Land Records,
Tiruchirapallai - 20.

2. Assistant Director of Survey &
Land Records, Thanjavur - 1.

3. C. Paneer Selvam

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in connection with proceedings reference No.Na.Ka.Aa.8.5538/04, dated 22.06.2004 for the year 2004-05 empaneling for promotion to post of Land Record Draughtsman so far as it includes the name of the 3rd respondent and quash the same and direct the respondents 1 and 2 herein to promote the petitioner to the post of Land Record Draughtsman in the Thanjavur District on the basis of her prior entry to the District.

For Petitioner : Mr. K. Ramkumar

For Respondents : Mr.S. Suresh Kumar,
Government Advocate for RR1 and 2
Mr.G. Sankaran for R3

ORDER

The order under challenge in the present writ petition is the Promotion panel for the post of Land Record Draughtsman, in which the 3rd respondent name finds place. The grievance of the petitioner is that the 3rd respondent is the junior to the petitioner herein and as such, his name ought not to have been included in the promotion panel.

2. The respondents 1 and 2 have filed counter statement stating that from 27.10.1994, the petitioner herein was transferred to Aranthangi, Erode, Ooty, Chennai and lastly at Thanjavur. All these transfers were made on the petitioner's request, wherein she had categorically admitted that she would forego the seniority and accept her seniority at the bottom of the list. As such, the petitioner's rank was positioned at 47th place in Thanjavur , whereas the 3rd respondent was placed at the 10th place.

3. The petitioner's letter dated 24.08.1998 is produced before this Court, which evidences that the petitioner has given up her claim for seniority in Thanjavur District and has accepted that she would be placed in the last position in the seniority list in Thanjavur District. This aspect has not been referred to in the affidavit or grounds raised by the petitioner in the present writ petition.

4. In view of the categorical statement of the petitioner that she would forego her seniority and would accept her name to be arrayed in the bottom of the list, I do not find any infirmity in the panel drawn up by the respondents 1 and 2 herein.

5. In view of the petitioner's requests for the transfer and her categorical statement, the seniority drawn does not require any further interference by this Court.

6. In the result, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

vsi2

To

1. Regional Deputy Director of
Survey & Land Records,
Tiruchirapallai - 20.

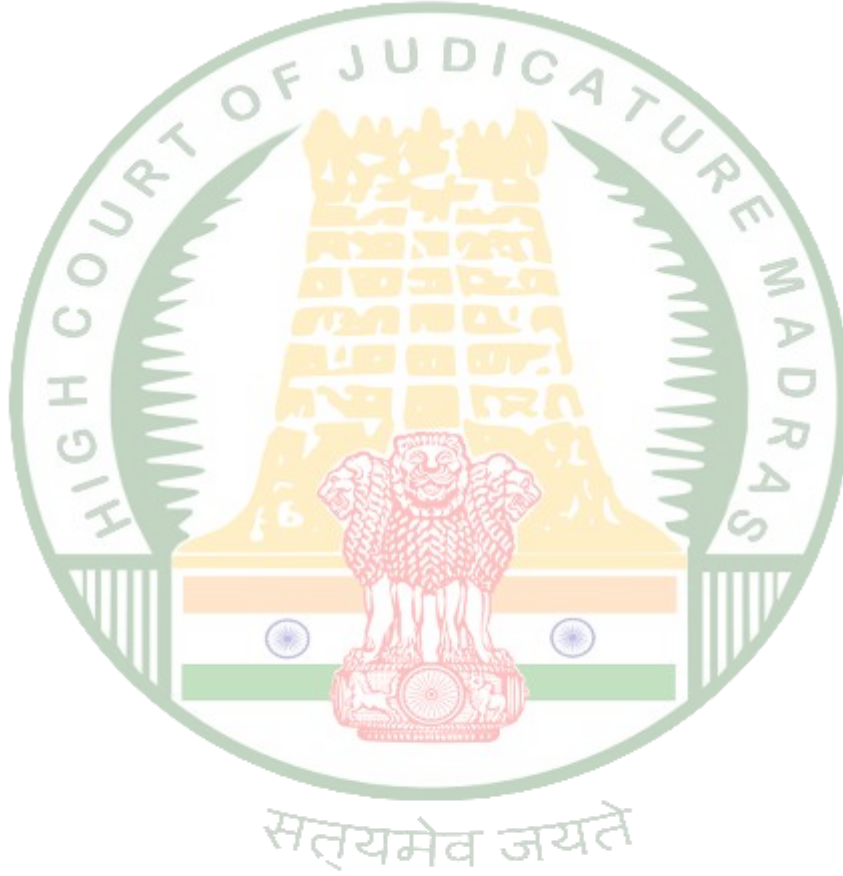
2. Assistant Director of Survey &
Land Records, Thanjavur - 1.

+1cc to Mr.K.Sudalaikannu, Advocate SR.No.13750

+1cc to Government Pleader SR.No.13442

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KS (CO)
GMY (06/03/2019)



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