



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.2437 of 2012

C.Murali

.. Petitioner

Vs.

State represented by Commissioner,
Commercial Taxes,
Ezhilagam Campus, Chepauk,
Chennai 600 005.

.. Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, to give directions to the respondent and consequently directing the respondent to consider the petitioner's representation dated 28.06.2011 for including his name in the promotion list of Deputy Commercial Tax Officer (DCTO) released by the respondent vide letter No.P2/319/2011, dated 23.06.2011.

For Petitioner : Mr.R.Singaravelan,
Senior Counsel
for Mr.V.L.Akshai Sajin Kumar

For Respondent : Mr.V.Haribabu,
Additional Government Pleader (Tax)

O R D E R

The present Writ Petition is filed for a direction to the respondent to consider the petitioner's representation dated 28.06.2011, for including his name in the promotion list of Deputy Commercial Tax Officer (DCTO) released by the respondent vide letter No.P2/319/2011, dated 23.06.2011.

2.The respondent filed counter affidavit and made various averments on merits as to why the petitioner's name was not included in the panel and further, stated that representation of the petitioner dated 28.06.2011 was considered by the respondent in the proceedings by Principal Secretary/Commissioner of Commercial Taxes and the Joint Commissioner (CT), Chennai (South) Division RC.469/2011/A1, dated 06.07.2011 and informed



the reasons for not recommending the petitioner for promotion as Deputy Commercial Tax Officer for the year 2011.

3.Mr.R.Singaravelan, learned Senior Counsel appearing for Mr.V.L.Akshai Sajin Kumar, learned counsel appearing for the petitioner filed an affidavit and submitted that the order of the respondent dated 06.07.2011 has not been communicated to the petitioner.

4.Mr.V.Haribabu, learned Additional Government Pleader (Tax) affirmed that copy of the order dated 06.07.2011 will be served on the learned Senior Counsel for the petitioner on or before 18.07.2019.

5.In view of the fact that representation of the petitioner had been considered and the order has been passed by the respondent on 06.07.2011, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

gsa

To

The Commissioner,
State of Tamil Nadu,
Commercial Taxes,
Ezhilagam Campus, Chepauk,
Chennai 600 005.

+1cc to Mr. V.L.Akshai Sajin Kumar, Advocate, S.R.No.55882

+1cc to the Sspecial Government Pleader, S.R.No. 56135

W.P.No.2437 of 2012

KK(CO)
GN(08/08/2019)