

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 24691 of 2018

and

W.M.P.Nos. 28726 & 28727 of 2018

P.Gayathri
Firkka Revenue Inspector,
Kottur Firkka,
Pollachi Taluk,
Pollachi - 642 001
Coimbatore District.

..Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.

2. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Coimbatore District,
Coimbatore.

4. The District Revenue Officer,
Coimbatore Collectorate,
Coimbatore District, Coimbatore.

5. K.Jayakumar
Senior Revenue Inspector,
Assistant Commissioner of Urban Land Ceiling
and urban Land Tax Office,
Coimbatore District,
Coimbatore.

6. B.Sendhil Kumar
Firkka Revenue Inspector,
Annur (South) Firkka,
Annur Taluk, Coimbatore District.

7. P.Saravana Kumar,
Senior Revenue Inspector,
Deputy Commissioner Office (Excise),
Coimbatore Collectorate,
Coimbatore District, Coimbatore.

8. P.Gnanadesikan
Senior Revenue Inspector,
District Revenue Office (Stamps),
Coimbatore Collectorate,
Coimbatore District,
Coimbatore.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner for promotion to the post of Deputy Tahsildars for the year 2018 without insisting on the requirement of completion of two years training as Firkka Revenue Inspector.

For Petitioner : Mr.Adithya Reddy

For Respondents : Mr.A.Srijayanthi
Additional Government Pleader.

O R D E R

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner for promotion to the post of Deputy Tahsildar for the year 2018 without insisting on the requirement of completion of two years training as Firkka Revenue Inspector.

2. The case of the petitioner is that the petitioner is working as Firkka Revenue Inspector, Kottur Pollachi Taluk, Coimbatore District and the petitioner is a direct recruit in the cadre of Assistant in the Revenue Department in Coimbatore District, having successfully passed TNPSC exam conducted on 30.07.2011. The selection was conducted district-wise pursuant to two TNPSC advertisements dated 30.12.2010 and 08.02.2011. The recruitment was for filling up vacancies for the years 2009-10 and 2010-11. The total number of vacancies in Coimbatore District for which recruitment was made by TNPSC through GO.Ms.No. 166 Revenue (Ser-9(2)) Department dated 05/02/2010 and G.O. (Ms)No.698 Revenue (Ser-9(2)) Department dated 29.12.2010, was 151. The petitioner was given appointment order on 08.12.2012. The petitioner joined duty on 10.12.2012 in the forenoon.

3. The learned counsel appearing for the petitioner would submit that the petitioner has cleared all other examinations and he possessed all qualifications required for promotion to the post of Deputy Tahsildar, except the service qualification of completing two years as Firkka Revenue Inspector. This is entirely due to the arbitrary policy followed by the official respondents whereby the junior most promotees of 2014-batch (Respondents 5-8) have been given the opportunity to complete the two year period as Firkka Revenue Inspector through favouritism. The petitioner submits that the Department has been acting infavour of the promotees. The petitioner given representations to the Government. Since, the representation dated 26.10.2017, was not considered by the respondents, the petitioner filed this Writ Petition.

4. The learned counsel for the petitioner would further submit that it would suffice if this Court issues direction to the respondent to consider the representation of the petitioner dated 26.10.2017 within a stipulated time frame.

5. Considering the facts and circumstances of the case, without expressing any opinion on merits, I am inclined to issue a direction to the 4th respondent to dispose of the Writ Petitioner's representation dated 26.10.2017 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. This Court also directs the petitioner to make a fresh application along with a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

kmm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.

2. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Coimbatore District,
Coimbatore.

4. The District Revenue Officer,
Coimbatore Collectorate,
Coimbatore District,
Coimbatore.

+1cc to Mr.Adithya Reddy, Advocate, SR.No. 76903
+1cc to the Govt.Pleader, Vide Sr.No.77389

W.P.No. 24691 of 2018

Kak(12/11/2019)