

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.20469 of 2019

S.Rajamanickam

..Petitioner

vs

1. The Government of Tamil Nadu
Rep. by Secretary to Government
Revenue and Disaster Management
(Service Wing-Ser I-Section) Department
Fort St. George, Chennai-600 009.
 2. The Special Commissioner and Commissioner
of Revenue Administration
Chepauk, Chennai-5.
 3. The District Collector
Salem District, Salem.
- ... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to grant the same benefits as granted to petitioner's similarly placed batchmate vide G.O.Ms.No.571, Public (Special-A) Department dated 31.07.2018 including his name in the appropriate place in the panel for promotion to the post of District Revenue Officer for the year 1996 and to grant him retrospective promotion to the said post with effect from the date of such promotion of his immediate junior and to grant him all consequential benefits within a limited time frame.

For Petitioner : Mr.Ravi M.

For Respondent : Mrs.R.Janaki
Additional Government Pleader

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the 1st respondent to grant the same benefits as granted to petitioner's similarly placed batchmate vide G.O.Ms.No.571, Public (Special-A) Department dated 31.07.2018 including his name in the appropriate place in the panel for promotion to the post of District Revenue Officer for the year 1996 and to grant him retrospective promotion to the said post with effect from the date of such promotion of his immediate junior and to grant him all consequential benefits within a limited time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The case of the petitioner is that he is a retired employee. He was superannuated from service as Deputy Collector in the year 2001. In the year 1996, the petitioner notionally promoted as the District Revenue Officer on par with his juniors. On an earlier round of litigation, the petitioner and other persons approached this Court by way of W.P.No.27226 of 2012 seeking issuance of a writ of mandamus to direct the respondents to grant all consequential benefits pursuant to the judgment of this Court dated 01.09.2006 made in W.P.No.37943 of 2003 by including their names in the list of Deputy Collectors in the appropriate place in the appropriate year. This Court vide order dated 27.04.2019 disposed of the said writ petition with liberty to the petitioner to approach the Government by way of suitable representation and seek necessary relief. In view of the direction issued by this Court, the petitioner has made a representation dated 21.05.2019 to the 1st respondent to include his name in the list of District Revenue Officers in the year 1996. However, till date, the petitioner's representation was not considered by the 1st respondent. Hence, this writ petition.

4. Learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, without expressing any opinion on the merits of the case, this Court hereby directs the 1st respondent to consider the petitioner's representation dated 21.05.2019 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

6. The writ petition is disposed of on the above terms. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
The Government of Tamil Nadu,
Revenue and Disaster Management
(Service Wing-Ser I-Section) Department
Fort St. George, Chennai-600 009.
2. The Special Commissioner and Commissioner
of Revenue Administration
Chepauk, Chennai-5.
3. The District Collector
Salem District, Salem.

+1cc to Mr.Ravi M., Advocate, S.R.No.83103
+1cc to the Government Pleader, S.R.No.82804

W.P.No.20469 of 2019

MP (CO)
CS/31/10/2019

सत्यमेव जयते

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