

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23462 of 2019

Mrs.K.Varalakshmi

... Petitioner

Vs.

1. The Principal Secretary
Revenue & Disaster Management
& Mitigation Department,
Tamil Nadu Government,
Fort St. George,
Chennai 600 009.
 2. The Additional Chief Secretary,
Commissioner of Revenue Administration,
Revenue Administration and Disaster Management Department,
Ezhilagam, Chennai 600 005.
 3. The Principal Secretary,
Personal & Administrative Reformation Department,
Tamil Nadu Government,
Fort St. George,
Chennai 600 009.
 4. The District Collector,
Vellore District,
Vellore.
 5. The District Revenue Officer,
Vellore District,
Vellore.
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider representation dated 07.05.2019 which was given for seeking promotion to the cadre of Deputy Tahsildar in the panel year 2017-18 by relaxing of 1 month 24 days shortage in completing the two years training as Firka Revenue Inspector as per Annexure IX Rule 38(b) II of Tamil Nadu Ministerial Service Rules.

For Petitioner : Mr.Prabudoss.R

For Respondent : Mr.A.N.Thambi Durai
Special Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner is that the petitioner was appointed as Assistant in Vellore District Revenue Unit in the year 2012 through Tamil Nadu Public Service Commission Group II Examination. Further, he was promoted as Senior Assistant at Sub Collector Office, Ranipet, Vellore District and his service was regularized from 12.12.2012. The petitioner has completed the training as per Annexure IX Rule 38(b) II of Tamil Nadu Ministerial Service Rules and that he is eligible for promotion to the post of Deputy Tahsildhar.

3. The crucial date fixed for promotion to the post of Deputy Tahsildhar by the respondents is 15.09.2018. As the petitioner was in shortage of 1 month 24 days in the said crucial date, the case of the petitioner was not considered for promotion. The grievance now expressed by the petitioner is that though he submitted his representation to the 4th respondent and sought permission to undergo training for Revenue Inspector on 21.09.2016, he was permitted belatedly on 20.10.2016 and that, he was in shortage of 1 month 24 days in the said crucial date. The petitioner thereafter submitted his representation dated 15.09.2018 to the 4th respondent to consider his case for promotion to the cadre of Deputy Tahsildhar by giving relaxation of 1 month 24 days shortage of training as per Annexure IX Rule 38(b) of Tamil Nadu Ministerial Service Rules. While that being so, the 4th respondent has promoted more than 35 persons, who are junior to the petitioner. But so far no action has been taken on the representation submitted by the petitioner on 15.09.2018, he further sent reminder on 07.05.2019 to the respondents 1 to 4. Since no response is forthcoming from the respondents till date and left with no other option, the petitioner filed this present writ petition.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondent to consider the representation of the petitioner dated 07.05.2019 and pass orders, within a stipulated time fixed by this Court.

5. Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representation

dated 07.05.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary
Revenue & Disaster Management
& Mitigation Department,
Tamil Nadu Government,
Fort St. George,
Chennai 600 009.
2. The Additional Chief Secretary,
Commissioner of Revenue Administration,
Revenue Administration and Disaster Management Department,
Ezhilagam, Chennai 600 005.
3. The Principal Secretary,
Personal & Administrative Reformation Department,
Tamil Nadu Government,
Fort St. George,
Chennai 600 009.
4. The District Collector,
Vellore District,
Vellore.
5. The District Revenue Officer,
Vellore District,
Vellore.

+1cc to Mr. Prabudoss.R, Advocate sr.86213
+1cc to Government Pleader SR.NO. 86481

W.P.No.23462 of 2019

vgi(co)
nr 13/11/2019