

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30485 of 2019

P.Ramarasu

.. Petitioner

Vs.

1.The Chief Secretary to Government,
Secretariat,
Fort. St. George,
Chennai - 600 009.

2.The Secretary,
Revenue Department,
Fort St., George,
Chennai - 600 009.

3.The Principle Secretary cum
Commissioner of Revenue Administration,
Ezhilagam, Chepuak,
Chennai - 600 005.

4.The District Collector,
Collectorate,
Salem, Salem District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to consider and pass orders on the representation of the petitioner dated 16.09.2019 in order to include him in the panel of Deputy Tahsildar for the year 2013 in the light of letter No.36347 S99-1 dated 11.01.2000 issued by the 1st respondent and in the light of order passed in Writ Appeal No.2672 of 2012 dated 19.01.2015 by this Court.

For Petitioner : Mr.M.Elango

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

This Writ Petition is filed for a Writ of Mandamus, directing the 4th respondent to consider and pass orders on the representation of the petitioner dated 16.09.2019 in order to include him in the panel of Deputy Tahsildar for the year 2013 in the light of letter No.36347 S99-1 dated 11.01.2000 issued by the 1st respondent and in the light of order passed in Writ Appeal No.2672 of 2012 dated 19.01.2015 by this Court.

2.The case of the petitioner is that the petitioner was appointed as a Typist in the Agricultural Department and thereafter on 06.08.2004, he was reappointed as a Typist in the Revenue Department in Taluk Office, Omalur Taluk. When he was reappointed in Revenue Department, he had waived all rights of promotion accrued in Agricultural Department. The 4th respondent in the year 2009, prepared a panel for promotion for Assistants from the feeder category and the petitioner's name was not in the panel on the ground that he had relinquished the right of promotion in Agricultural Department and on that ground, the said relinquishment will apply in Revenue Department also. Hence, the petitioner made a representation to the 4th respondent for inclusion of his name in the said panel. The 4th respondent in turn sought a clarification from the Government and the Government by letter No.285 dated 28.03.2013, clarified that the petitioner is eligible for promotion of Assistant for the year 2009. Based on the letter from the Government, the petitioner is promoted as Assistant in the year 2013. In the year 2013, the 4th respondent drawn a panel for the post of Deputy Tahsildar, in which the petitioner's name was not included on the ground of not completing the training and working experience of Assistant for 2 years. However, the 1st respondent by the letter dated 11.01.2000 had directed all the Head of the Departments to send the relevant employee for special qualification in order to promote them. But the 4th respondent failed to send him for the special qualification, for which, the petitioner made a representation on 16.09.2019 to include him in the panel for Deputy Tahsildar for the year 2013 and however, till date the same was not considered by the fourth respondent. Hence, the petitioner has come out with the present Writ Petition.

3.The learned counsel for the petitioner would submit that it would be suffice to issue direction to the 4th respondent to consider the representation sent by the petitioner dated 16.09.2019 and pass orders on the same.

4.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court hereby directs the 4th respondent to consider the representation sent by the petitioner dated

16.09.2019 and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

krk

To

1. The Chief Secretary to Government,
Secretariat, Fort. St. George,
Chennai - 600 009.
2. The Secretary,
Revenue Department,
Fort St., George,
Chennai - 600 009.
3. The Principle Secretary cum
Commissioner of Revenue Administration,
Ezhilagam, Chepuak,
Chennai - 600 005.
4. The District Collector,
Collectorate,
Salem, Salem District.

+1cc to Mr.M.Elango, Advocate, S.R.No. 90903

+1cc to the Government Pleader, S.R.No. 90384

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MP(CO)
GN(11/12/2019)