

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31545 of 2019

and

WMP.No.31737 of 2019

1.M.Chinnathambi

2.P.S.Balamurugan

3.M.Saravanan

4.V.Tamilselvi

5.R.Panneerselvam

6.R.Rajeswari

... Petitioners

Versus

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,
Salem District,
Fort Main Road, First Agraharam,
Salem, Tamil Nadu - 636 001.

4.District Revenue Officer,
Salem District,
Fort Main Road, First Agraharam,
Salem, Tamil Nadu - 636 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioners representations dated 05.08.2019 and 28.08.2019 in the light of circular passed by the Personal and Administrative Reforms Department Letter

No.36347/S/1999-1, dated 11.01.2000 and the Judgment of this Court made in W.A.No.391 of 2012 order dated 28.10.2014 cited supra and also direct the second respondent to re-drawal of the panel year 2016, 2017 and 2018 of Deputy Tahsildars in the Salem District Revenue Unit and include the petitioners name in appropriate places in the panel post of Deputy Tahsildar for the year 2017 and promote petitioners to the post of Deputy Tahsildar with effect from 15.09.2017 within the time stipulated.

For Petitioners: Mr.Durai Gunasekaran

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

ORDER

This Writ petition has been filed seeking to direct the respondents to consider the petitioners representations dated 05.08.2019 and 28.08.2019 in the light of circular passed by the Personal and Administrative Reforms Department Letter No.36347/S/1999-1, dated 11.01.2000 and the Judgment of this Court made in W.A.No.391 of 2012 order dated 28.10.2014 cited supra and also direct the second respondent to re-drawal of the panel year 2016, 2017 and 2018 of Deputy Tahsildars in the Salem District Revenue Unit and include the petitioners name in appropriate places in the panel post of Deputy Tahsildar for the year 2017 and promote petitioners to the post of Deputy Tahsildar with effect from 15.09.2017 within the time stipulated.

2.The case of the petitioners is that they were directly recruited as Revenue Assistants (Now re-designated as Senior Revenue Inspector) by Tamilnadu Public Service Commission in CSSE Exam-I-2009 and posted in various Taluks in the Salem District Revenue Unit and their services were regularized and probation also declared vide proceedings in Roc.8115/2012/A3 by the third respondent. The persons, who were Junior to the petitioners were sent to Firka Revenue Inspector training.

2.1.The grievances of the petitioners are that the persons, who were junior to the petitioners in the post of promotee assistants, were directly posted as Firka Revenue Inspector without undergoing one year foundation training. According to the petitioners, the fourth respondent gave permission to conduct training to the post of Firka Revenue Inspectors only on 11.03.2015, which is also contrary to the rules. The respondents did not attend the training in time and the respondents have not completed the recruitment procedures for becoming eligible for the promotion to the post of Firka Revenue Inspector in time. However, in the meantime, the respondents posted 11 juniors to the post of Deputy Tahsildars, who were

promotee Assistants. According to the petitioners, they were ignored in the panel list of Deputy Tahsildars. Hence, they made representations dated 05.08.2019 and 28.08.2019 to all the respondents, to redraw the panel of Deputy Tahsildars in respect of Salem Revenue District for the years 2016, 2017 and 2018. But till date, the petitioners' representations were not considered by the respondents. Therefore, the petitioners approached this Court with the above said prayer.

3. Heard both sides and perused the materials available on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to delve into the merits of the issue, but it would suffice to direct the respondents to consider the representations submitted by the petitioners dated 05.08.2019 and 28.08.2019 and pass orders on the same within a particular time frame.

5. With the above directions, this writ petition is disposed of directing the respondents to consider the representations of the petitioners dated 05.08.2019 and 28.08.2019 and to pass orders thereon, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

klt

To

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

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

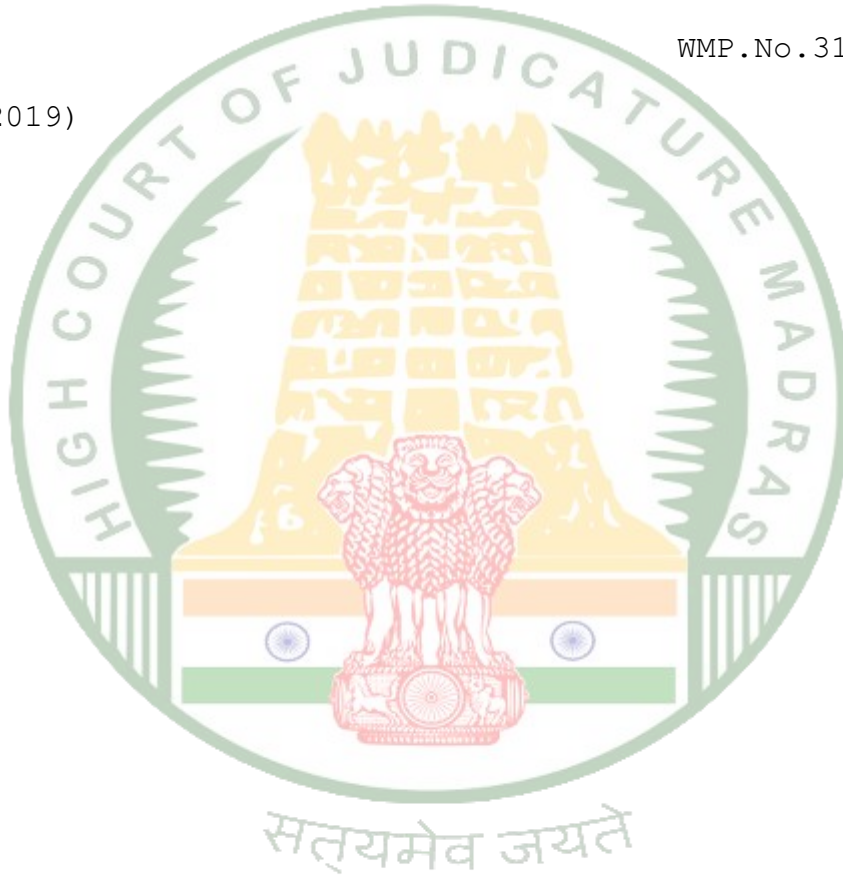
3. The District Collector,
Salem District,
Fort Main Road, First Agraharam,
Salem, Tamil Nadu - 636 001.

4.District Revenue Officer,
Salem District,
Fort Main Road, First Agraharam,
Salem, Tamil Nadu - 636 001.

+1 CC to Mr. Durai Gunasekaran, Advocate sr 92846.
+1 CC to Govt. Pleader sr 93395.

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SP(22/11/2019)



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