



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**W.P.(MD)Nos.3109 to 3111 of 2018

WEB COPY

S.Shanmunandan ... Petitioner in W.P.(MD)No.3109 of 2018
S.Ravikumar ... Petitioner in W.P.(MD)No.3110 of 2018
S.Petchimuthuraju ... Petitioner in W.P.(MD)No.3111 of 2018

Vs.

The Additional Chief Secretary / Commissioner
of Commercial Taxes,
Ezhilagam, 2nd Floor, Chepauk,
Chennai - 600 005. ... Respondent in all cases

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to include the petitioners name above their juniors, whose appointment and declaration of probation of these direct DCTO are purely provisional from Serial No.75 in the CTO panel for 2015 by considering petitioners' representation, dated 27.12.2017 within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.V.Vairam Santhosh
(in all cases)
For Respondent : Mr.C.M.Mari Chelliah Prabuu
(in all cases) Additional Government Pleader

COMMON ORDER

These writ petitions have been filed for a direction to the respondent to include the petitioners' names in the Commercial Tax Officer panel for the year 2015, above their juniors by considering their respective representations, dated 27.12.2017.

2.Heard the learned Counsel on either side.

3.It is the case of the petitioners that though they were promoted to the post of Deputy Commercial Tax Officer in 2012 itself and their probation period was completed in the year 2014, in the panel to the post of Commercial Tax Officer, their names were found below their juniors, who were appointed as Deputy Commercial Tax Officer by direct recruitment. Hence, they made individual representation, dated 27.12.2017 to the respondent to include their names above their juniors. However, the respondent has not taken any action on the representations made by the petitioners. Hence, the present writ petitions are filed with the above prayer.



4.The learned Additional Government Pleader appearing for the respondent, on instructions, submitted that the grievances of the petitioners would be considered on merits.

5.Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to consider the petitioners' representations, dated 27.12.2017, on merits and in accordance with law, and pass appropriate orders, after affording opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar(CS)

To

The Additional Chief Secretary / Commissioner
of Commercial Taxes,
Ezhilagam, 2nd Floor, Chepauk,
Chennai - 600 005.

+1 CC to M/s.SPL GP (SR-53273[F] dated 12/03/2019)

ORDER MADE IN
W.P. (MD) Nos.3109 to 3111 of 2018
11.03.2019

ES/DS/25.04.2019/2P/3C