



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) Nos. 6680 to 6683 of 2019

WEB COPY

S. Lavagusa ... Petitioner in WP (MD) No. 6680/2019

B. Chidambaram ... Petitioner in WP (MD) No. 6681/2019

S. Selvakumari ... Petitioner in WP (MD) No. 6682/2019

M. Indhumathi ... Petitioner in WP (MD) No. 6683/2019

Vs

1. The Additional Chief Secretary - cum -
Commissioner,
Department of Commercial Taxes,
Chepauk, Chennai - 5.

2. The Joint Commissioner,
Commercial Taxes,
Tirunelveli Division, Tirunelveli. ... Respondents in all
the W.Ps.

PRAYER: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and promote the petitioners as Deputy Commercial Tax Officer (DCTO) w.e.f. 2016 on par with their juniors in the light of the revision of seniority carried out by the 2nd respondent vide proceedings dated 04.01.2019 and in the light of the representations dated 12.03.2019, 14.03.2019, 14.03.2019 and 09.03.2019 respectively.

For Petitioners : Mr. V. Vijayshankar
For Respondents : Mr. C. M. Mari Chelliah Prabhu
Additional Government Pleader
in all the writ petitions.

COMMON ORDER

Seeking a direction to the first respondent to promote the petitioners as Deputy Commercial Tax Officer (DCTO) with effect from 2016 on par with their juniors, in the light of the revision of seniority carried out by the second respondent vide proceedings dated 04.01.2019 and also in the light of their representations dated 12.03.2019, 14.03.2019, 14.03.2019 and 09.03.2019 respectively, these writ petitions have been filed.

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



3.The case of the petitioners is that they have given representations dated 12.03.2019, 14.03.2019, 14.03.2019 and 09.03.2019 respectively to the respondents, seeking promotion to the post of Deputy Commercial Tax Officer (DCTO) with effect from 2016 on par with their juniors in the light of the revision of seniority, carried out by the second respondent vide proceedings dated 04.01.2019. Since the same have not been considered so far by the respondents, these writ petitions have been filed.

4.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioners' representations would be considered on merits and appropriate orders be passed by the respondents.

5.In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representations of the petitioners dated 12.03.2019, 14.03.2019, 14.03.2019 and 09.03.2019 respectively and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners.

6.The writ petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Additional Chief Secretary - cum -
Commissioner,
Department of Commercial Taxes,
Chepauk, Chennai - 5.

2.The Joint Commissioner,
Commercial Taxes,
Tirunelveli Division, Tirunelveli.

+4 CC to M/s.V.KARTHIKEYAN, Advocate, SR No.59081,59082,59083,59084

+1 CC to M/s.SPL GP (SR-59535[F] dated 08/04/2019)

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