

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.03.2019****CORAM:****THE HONOURABLE MR.JUSTICE. R.MAHADEVAN****W.P(MD)Nos.12680, 12401, 12402, 12387 & 12263 of 2017**

J.M.Devi	... Petitioner in WP(MD).No.12680 of 2017
A.Raja Rajeswari	... Petitioner in WP(MD).No.12401 of 2017
S.RajaLakshmi	... Petitioner in WP(MD).No.12402 of 2017
C.Menaka	... Petitioner in WP(MD).No.12387 of 2017
R.Venkatesh	... Petitioner in WP(MD).No.12263 of 2017

Vs.

1. The Secretary to the Government,
Revenue Department,
Fort St. George,
Chennai.
 2. The Principal Secretary/Commissioner of
Revenue Administration,
Chepauk, Chennai.
 3. The District Collector,
Madurai.
 4. The District Revenue Officer,
District Collector Office Premises,
Madurai.
- ... Respondents

PRAYER in WP(MD).Nos.12680,12401,12402,12387,12263 of 2017 : Writ Petitions are filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondents to regularize the service of the petitioner as Assistant from the crucial date that is on 15.03.2012 that is for the year 2012 by including her name in the panel for the post of Assistant instead of the year 2014 and 2013 respectively.

For Petitioner : Mr.C.M.Arumugam
in all WPs.

For Respondents : Mr.V.Anand,
Government Advocate.
in all WPs.

**COMMON ORDER**

These writ petitions have been filed seeking issuance of a writ of Mandamus, to direct the respondents to regularize the services of the petitioners as Assistant from the crucial date ie., on 15.03.2012, by including their names in the panel for promotion to the post of Assistant for the year 2012 instead of the year 2014.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the respondents.

3. The case of the petitioners is that they were appointed as Typist, vide order, dated 29.07.2009 by the third respondent and their probations were completed. Prior to 15.03.2012, they became eligible to be promoted as Assistant. However, their names have not been included in the panel for promotion to the post of Assistant for the year 2012, hence, the petitioners requested the third respondent to include their names, who in turn, informed that the petitioners had not undergone training for a period of one year as Junior Assistant. Thereafter, they had undergone the said training.

4. It is the further case of the petitioners that as far as the post of Assistant is concerned, it is filled up through feeder category and by way of direct recruitment. As far as feeder category is concerned, eligibility is that the Junior Assistant/Typist has to complete probation, regularization of service and to pass all the departmental tests. Even though the petitioners have fulfilled the same, as on the crucial date ie., on 15.03.2012, their names have not been included in the panel for the year 2012, due to non-completion of training. According to the petitioners, they were given Junior Assistant training with inordinate and unnecessary delay. Hence, they made representations to the respondents to include their names in the panel for promotion to the post of Assistant for the year 2012 instead of the year 2013. Since the same have not been considered so far, the petitioners have filed the present Writ Petitions.

5. The learned counsel for the petitioners submitted that it would suffice, if the representations of the petitioners are directed to be considered by the respondents.

6. The learned Government Advocate appearing for the respondents submitted that the representations of the petitioners would be considered by the respondents on merits.

7. In view of the above, this Court, without going into the merits of the petitioners' claim, directs the respondents to consider the representations of the petitioners, dated 29.12.2016, 09.01.2017, 02.01.2017, 31.12.2016 and 29.12.2016 respectively seeking to include their names in the panel for promotion to the post of Assistant for the year 2012 instead of the year 2013, if there are no other legal impediments and pass appropriate orders, on



merits and in accordance with law, after affording due opportunity of hearing to the petitioners. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary to the Government,
Revenue Department,
Fort St. George,
Chennai.
2. The Principal Secretary/Commissioner of
Revenue Administration,
Chepauk, Chennai.
3. The District Collector,
Madurai.
4. The District Revenue Officer,
District Collector Office Premises,
Madurai.

1 CC to Special Government Pleader (SR-55313[F] dated 20/03/2019)

+5 CC to Mr.C.M.ARUMUGAM, Advocate (SR-55445 to 55449[F] dated 20/03/2019)

**W.P(MD) Nos.12680, 12401, 12402,
12387 & 12263 of 2017
19.03.2019**

ps

AE (27.04.2019) 3P 11c