



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.20413 of 2019

and

W.M.P(MD)Nos.17057, 17059, 17075 & 17076 of 2019

WEB COPY

P.Balakrishnan

... Petitioner

vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Revenue Department,
Secretariat,
Chennai.

2. The Additional Chief Secretary / Commissioner of
Revenue Administration,
Disaster Management and Mitigation Department,
Chepauk, Chennai - 5.

3. The District Collector,
O/o.The District Collector,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Roc.No.A.1/32456/2019, dated 02.08.2019 on the file of the third respondent and quash the same as illegal and consequently for a direction, forbearing the third respondent from drawing promotion panel to the post of Tahsildar for the year 2019 without re-fixing the seniority of Deputy Tahsildars list in Madurai District by applying Rule of Reservation in accordance with the proceedings of the second respondent, dated 25.04.2018.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader.

ORDER

The petitioner has come forward with the present Writ Petition challenging the order of the third respondent, dated 02.08.2019, calling for the proposals of the Subordinate Officers for promotion to the post of Tahsildar.

2.Mr.VR.Shanmuganathan, learned Special Government Pleader accepts notice on behalf of the respondents.

<https://hcservices.courts.gov.in/hcservices/>



3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

5. The learned counsel appearing for the petitioner contended that the second respondent has issued Circular, dated 25.04.2018, to revise the seniority list of Deputy Tahsildar by applying the Rule of Reservation and the Judgment of this Court in W.A(MD)Nos.1018 and 1267 of 2018, dated 21.12.2018. Without revising the seniority list of the Deputy Tahsildar and without following the instructions of the second respondent, the third respondent has issued the impugned order.

6. The learned Special Government Pleader appearing for the respondents submitted that the writ petition is pre-mature and no seniority list is prepared and it is only calling for the particulars for preparation of the panel and the instructions given by the second respondent by proceedings, dated 25.04.2018, will be followed by the third respondent.

7. In view of the same, now, the learned counsel appearing for the petitioner prayed for a direction to the respondents to consider the representations of the petitioner, dated 13.08.2019 and 22.08.2019, in the light of the proceedings of the second respondent, dated 25.04.2018.

8. Considering the submissions made by the learned counsel appearing on either side, this Court, without going into the merits of the matter, directs the third respondent to consider the representations of the petitioner, dated 13.08.2019 and 22.08.2019 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

9. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Principal Secretary,
Rep. by the Government of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai.
2. The Additional Chief Secretary / Commissioner of
Revenue Administration,
Disaster Management and Mitigation Department,
Chepauk, Chennai - 5.
3. The District Collector,
O/o.The District Collector,
Madurai District.

+1 CC to MR.T.LAJAPATHI ROY, Advocate (SR-89107[F]dated 25/09/2019)
+1 CC to SPL.GP (SR-89395[F] dated 25/09/2019)

W.P (MD) No.20413 of 2019
23.09.2019

ps

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