



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21763 of 2019

WEB COPY

S.Arockiasamy

... Petitioner

-Vs-

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.

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

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Revenue Department, Chennai to take immediate action on the final proposals sent by the Commissioner of Revenue Administration, Chennai based on the specific directions issued by this Court in W.P.No.4216 of 1999, dated 25.06.2001, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

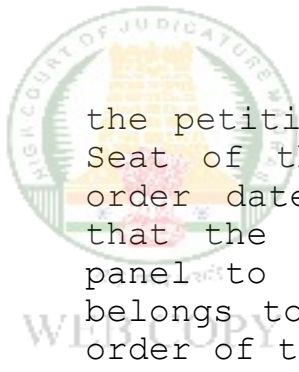
For Respondents : Mr.C.M.Mari Chellaiah Prabhu,
Additional Government Pleader.

ORDER

This Writ Petition is filed for a direction to the first respondent to take immediate action on the final proposals sent by the second respondent, based on the specific directions issued by the Principal Seat of this Court in W.P.No.4216 of 1999, dated 25.06.2001, within a specified time frame that may be fixed by this Court.

2.Mr.C.M.Mari Chellaiah Prabhu, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was working as Tahsildar in Sivagangai District and was allowed to retire from service on 31.10.2001. The petitioner belongs to backward community. However, his name was included in the panel for promotion to the post of Deputy Tashildar in the year 1987, treating him as O.C and assigned seniority number as 44, whereas, his junior, who belongs to backward community, was given seniority number as 15. Therefore,



the petitioner had filed W.P.No.4210 of 1999 before the Principal Seat of this Court. The Principal Seat of this Court, by the order dated 25.06.2001, has allowed the Writ Petition, holding that the petitioner's name ought to have been included in the panel to the post of Deputy Tahsildar of the year 1987 as he belongs to backward community. According to the petitioner, the order of this Court has not been implemented by the respondents.

4.The learned counsel appearing for the petitioner contended that after various correspondence, final report has been sent to the first respondent by the second respondent, by his proceedings dated 30.01.2014. The second respondent informed the petitioner by the proceedings dated 04.03.2018 that the final report has been sent to the first respondent on 30.01.2014. Even after sending final report to the first respondent, the first respondent has not passed any order. The right accrued to the petitioner as per the order of the Principal Seat of this Court dated 25.06.2001 made in W.P.No.4216 of 1999. The petitioner has not got relief even after 18 years from the date of the order of the Principal Seat of this Court. The attitude of the respondents is not acceptable.

5.In such circumstances, the first respondent is directed to pass orders on the proposals sent by the second respondent dated 30.01.2014, within a period of four weeks from today, taking into consideration of the order of the Principal Seat of this Court dated 25.06.2001 made in W.P.No.4216 of 1999.

6.Mr.C.M.Mari Chellaiah Prabhu, learned Additional Government Pleader is directed to inform the first respondent to comply with this order and instruct him to pass orders on the proposals sent by the second respondent, within a time limit fixed by this Court.

7.With the above direction, this Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.

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

3.The Additional Government Pleader
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-92097[F] dated
16/10/2019)

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16.10.2019

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