

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.985 of 2020
and W.M.P No.1202 of 2020

S.Baskar

Petitioners

vs.

1. The Government of Tamil Nadu,
Represented by Additional Chief Secretary,
Revenue and Disaster Management Department,
Secretariat, Chennai - 600 009.

2. The Director of Survey and Settlement,
Chepauk, Chennai - 600 005.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to pass orders on the recommendation/Proposal made by the 2nd respondent in Na.Ka.No.LL1/40974/ -2014/LS Dated 17.10.2010 and by considering the petitioner representation dated 29.01.2016 regarding promoting the petitioner as Assistant on par with his junior.

For Petitioner : M/s.T.Dharani

For Respondents: Mrs.K.Bhuvaneswari

Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of writ of mandamus directing the 1st respondent to pass orders on the proposal that has been forwarded by the 2nd respondent by his proceedings dated 17.10.2019.

2.The case of the petitioner is that he was appointed as Junior Assistant on compassionate grounds in the year 1987 in the Survey and Land Records Department. His services were regularised with effect from 18.06.1987. The petitioner claims that he was belatedly deputed for Civil Service Training after the expiry of the probation period and the petitioner also completed the same satisfactorily. The petitioner was aggrieved by the panel that was prepared for promotion to the post of

Assistant. He filed writ petition before this Court and this Court issued directions to the respondents to consider the claim made by the petitioner. The claim made by the petitioner was ultimately negated by the 1st respondent by proceedings dated 17.05.2007.

3. Subsequently, a person who was similarly placed like the petitioner was considered and his claim was allowed by the 1st respondent. Therefore, the petitioner again made a representation to treat the petitioner on par with the similarly placed person. On the representation made by the petitioner, the 2nd respondent had forwarded the proposal to the 1st respondent by his proceedings dated 17.10.2019. The grievance of the petitioner is that the 1st respondent in spite of receiving the proposal has not passed any order till date. Therefore, the petitioner has filed the present writ petition before this Court.

4. Heard Ms.T.Dharani, learned counsel appearing on behalf of the petitioner and Mrs.K.Bhuvaneshwari, learned Additional Government pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the proposal that has been forwarded by the 2nd respondent by his proceedings dated 17.10.2019 and pass appropriate orders strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the proposal given by the 2nd respondent and also a copy of this order.

6. This writ petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No Costs.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

ssr

To

1. The Additional Chief Secretary,
Revenue and Disaster Management Department,
Secretariat, Chennai - 600 009.

2. The Director of Survey and Settlement,
Chepauk, Chennai - 600 005.

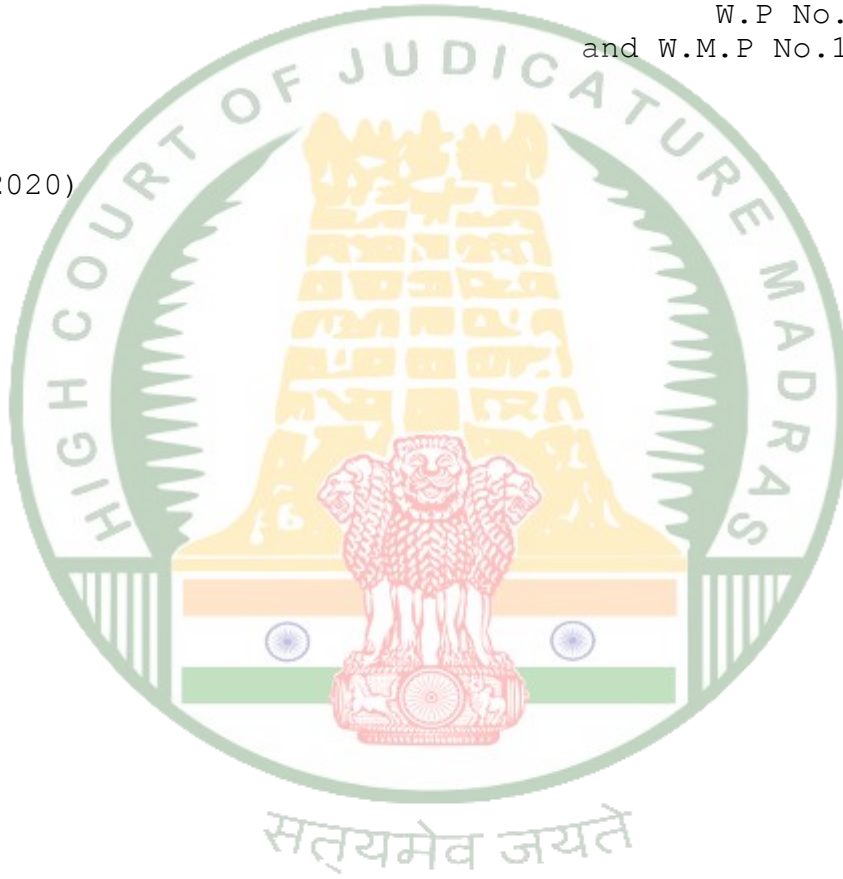
3. The Public Prosecutor,
High Court, Madras.

+1 CC to Govt. Pleader sr 4352.

+1 CC to M/s.T.Dharani, Advocate sr 4180.

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SP(17/02/2020)



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