

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.12525 of 2007
(O.A.No.2512 of 2003)

R.Selvaraj

...Petitioner

Vs.

1. The Commissioner and Director of Survey and land records,
Chepauk, Chennai - 5.
2. The Regional Deputy Director,
Survey and Land Records,
Coimbatore - 18.
3. The Assistant Director of Survey and land records,
Coimbatore - 18.
4. C.Kathiresan
Firka Surveyor,
Office of Inspector of Survey,
Town Survey Unit - I,
Tirupur.
5. M.Selvaraj,
Field Surveyor,
Office of Inspector of Survey,
Tiruppur, Coimbatore District.
6. A.Alagan,
Field Surveyor,
Office of Inspector of Survey,
Mettupalayam, Coimbatore District.
7. M.Balakrishnan,
Field Surveyor,
Office of Inspector of Survey,
Tiruppur, Coimbatore District.

...Respondents

PRAYER : Originally this application has been filed as Original Application No.2512 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, application has been transferred and re-numbered as W.P.No.12525 of 2007.

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in (1) Na.Ka.No.A1/8952/02 dated 18.09.2002 (2) Mu.Mu.A1/16663/2001 dated 03.01.2003 (3) Na.Ka.No.A1/9552/03 (2) dated 12.06.2003 and quash the same insofar as it relates to respondents 4 to 7 herein, the juniors of the applicant being placed above the applicant and giving promotion to them on the basis of the said seniority and direct the 3rd respondent to consider and pass orders on the representations of the applicant dated 19.06.2003.

For Petitioner : Mr.B.Divakaran
No appearance

For Respondents: Mr.P.Chinnadurai
Additional Government Pleader

ORDER

This Writ Petition has been filed calling for records of the third respondent and quash the same insofar as it relates to respondents 4 to 7 herein, the juniors of the petitioner being placed above the petitioner and giving promotion to them on the basis of the said seniority and direct the 3rd respondent to consider and pass orders on the representations of the petitioner dated 19.06.2003.

2. The petitioner has filed the Original Application before the Tamil Nadu Administrative Tribunal, Chennai. Subsequently, due to abolition of the Tribunal, this matter was transferred to this Court and renumbered as W.P.No.12525 of 2007.

3. When the matter is taken up for hearing today, there is no representation for the petitioner.

4. Learned Additional Government Pleader appearing for the respondents would submit that based on the direction of the Tribunal dated 08.02.1994, the first respondent fixed the seniority of the petitioner and others from the date of appointment in Coimbatore District. Thereafter, the petitioner retired on superannuation on 30.06.2018 and did not submit his pension proposal to the Assistant Director of Survey and Land Records, Nagapattinam, therefore, the pension has not been sanctioned to him.

5. Considering the above submission made by the learned Additional Government Pleader appearing for the respondents, this Writ Petition stands dismissed as infructuous. However, the petitioner is at liberty to file a pension proposal to the Assistant Director of Survey and Land Records and if the same is

filed by the petitioner, the respondents are directed to consider his pension proposal in accordance with law within a reasonable time period. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner and Director of Survey and land records, Chepauk, Chennai - 5.
2. The Regional Deputy Director, Survey and Land Records, Coimbatore - 18.
3. The Assistant Director of Survey and land records, Coimbatore - 18.
4. The Firka Surveyor, Office of Inspector of Survey, Town Survey Unit - I, Tirupur.
5. The Field Surveyor, Office of Inspector of Survey, Tiruppur, Coimbatore District.
6. The Field Surveyor, Office of Inspector of Survey, Mettupalayam, Coimbatore District.
7. The Field Surveyor, Office of Inspector of Survey, Tiruppur, Coimbatore District.

+1cc to the Government Pleader, S.R.No.36939

W.P.No.12525 of 2007

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