

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2020

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.12664 of 2007
[O.A.No.3768 of 2003]

R.Sundaramurthy,
Junior Assistant,
District Treasury,
Collectorate Buildings,
Tiruvannamalai.

...Petitioner

Vs

1. The Commissioner,
Treasury and Accounts,
Panagal Buildings,
Saidapet, Chennai - 15.
2. The Treasury Officer,
District Treasury Office,
Collectorate Buildings,
Tiruvannamalai District.
3. S.Rajendran,
Junior Assistant,
District Treasury,
Tiruvannamalai.

...Respondents

Prayer: Originally this petition has been filed as Original Application No.3768 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.No.12664 of 2007.

Petition filed praying to issue a writ of Certiorarified Mandamus to call for the records of the second respondent in R.C.No.pdl.44/2002-A2 dated 03.11.2003 and quash the same and direct the second respondent to include the name of the applicant herein in the panel for the year 2002 and to promote as Accountant in the second respondent-office.

For Petitioner : Mr.K.Sekar
For Respondents : Mr.K.Magesh
Special Government Pleader

ORDER

The petitioner originally filed the application before the Tamil Nadu Administrative Tribunal at Chennai in O.A.No.3768 of

2003, subsequently, the said Administrative Tribunal was abolished and the said O.A., has been transferred to the file of this Court and it is taken as writ petition in W.P.No.12664 of 2007.

2. The petitioner challenged the proceedings issued in R.C.No.pdl.44/2002-A2 dated 03.11.2003 of the second respondent and seeks to quash the same and further seeks direction to the second respondent to include the name of the applicant/petitioner herein in the panel for the year 2002 and to promote him as Accountant in the second respondent-office.

3. The learned Special Government Pleader submits that the respondents filed reply affidavit, in which in Paragraph (7), it is stated as follows:-

"7. Thiru.S.Rajendiran, Junior Assistant, has requested in his application dated 10.04.2003 to revise his seniority in the cadre of Junior Assistant as he completed his probation on 22.2.1999 AN itself before Thiru.R.Sundaramoorthy, Junior Assistant whose date of completion of probation is 17.4.1999 AN. Hence his name was placed below Tmt.V.S.Girija, Junior Assistant, Serial No.2 and above Thiru.R.Sundaramoorthy, Serial No.3, Junior Assistant in the list of Junior Assistant fully qualified to hold the post of Accountant as on 15.3.2002."

Since at the time of considering the panel for promotion, the petitioner has not completed his probationary period, therefore, his name was not considered at that relevant point of time. Further, in paragraph 13, it is stated that the petitioner has entered the said District as a Probationer.

4. Therefore, taking into consideration the submission made by the respondent in the reply affidavit and that the petitioner has not completed his probationary period, his name was not considered in the panel list, which, in the considered opinion of this court, there is no discrimination done as alleged by the petitioner. Therefore, I do not find any infirmity or illegality in the revised order passed by the second Respondent dated 03.11.2003.

5. The order of the Treasury Officer, Tiruvannamalai District -Second Respondent, is a well-reasoned one and requires no interference and I do not find any merits in this writ petition. In view of the same, the present Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Treasury and Accounts,
Panagal Buildings,
Saidapet, Chennai - 15.
2. The Treasury Officer,
District Treasury Office,
Collectorate Buildings,
Tiruvannamalai District.

+1cc to the Government Pleader, S.R.No.33898

W.P.No.12664 of 2007

RLD(CO)
RV(20/11/2020)