

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

Writ Petition No.18271 of 2012
and W.M.P.No.7411 of 2017

K. Govindarajan

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Petitioner

Vs.

1. The State of Tamil Nadu rep. by its
Secretary (Revenue) Department)
Fort St.George
Chennai 600009.

2. The Collector of Thanjavur,
Thanjavur District.

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Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the 1st Respondent to grant notional promotion due to the Petitioner from Upper Division Clerk since 1958 and to include in the Deputy Tahsildar list for 1962 and in the list of Tahsildar for 1964 respectively and accordingly to Deputy Collector and District Revenue Officer on the seniority from the Tahsildar Rank to be awarded onwards by dispose the appeal filed by the Petitioner dated 29.01.1982 which is pending before the 1st Respondent.

For Petitioner : Mr.A.R. Nixon

For Respondents : M/s.R. Janaki,
Additional Government Pleader

O R D E R

The Petitioner has visited with certain adverse remarks in the year 1963. Therefore he has made a representation on 12.01.1963 for expunging of such remarks. No orders were forthcoming from the respondents. Thereafter on 29.01.1982 he filed an appeal to the Respondents to expunge the adverse remarks and to give consequential promotion. The District Collector Office Nagapattinam has communicated the petitioner in proceedings in j.g.108/2010/<-4 dated 08.04.2011 that his Service Register was not received at their end. Even after

that, the Petitioner made applications under Right to Information Act, but of no avail. Aggrieved over the inaction of the Respondents the Petitioner has approached this Court for a direction of disposal of the appeal in a time limit.

2. I Heard the learned counsel for the Petitioner.

3. I do understand the anguish of the Petitioner that he had been visited with certain adverse remarks for which he did not receive any result. However, at this distance of time, those reporting officer or revenue officer would be available to review the adverse remarks of the year 1963 and it will hardly serve any purpose.

4. Be that as it may. The Petitioner is now 94 years old. He wants to have his appeal disposed of in accordance with law. Even though the appeal was made after a period of 20 years i.e., on 29.01.1982, the Respondents should have disposed it of in one way or other. Keeping it pending in cold storage is not desirable and not expected from the Respondents. Duty is cast upon them to dispose of the same either accepting or rejecting it at the earliest possible time. Even though the appeal is pending for more than 40 years, atleast to give satisfaction to the nonagenarian, I am inclined to give a direction to the respondents to dispose of the same.

5. Accordingly, the Respondents are directed to consider the appeal filed by the Petitioner with the available records and dispose of the same either accepting or rejecting it within a period of four (4) weeks from the date of receipt of copy of this Order and communicate the same to the Petitioner under RPAD within a period of two(2) weeks thereafter. The Petitioner is also permitted to resubmit the very same representation dated 12.1.1963 and Appeal dated 29.1.1982 and the communication of the District Collector dated 08.04.2011 for ready reference of the Respondents.

6. With the above direction the Writ Petition is disposed of. No costs. Consequently connected M.P.is closed.

Sd/-
Assistant Registrar

//True Copy//
Sub Assistant Registrar

ggs

Copy to:

1. The Secretary (Revenue) Department)
Fort St.George
Chennai 600009.
2. The Collector of Thanjavur,
Thanjavur District.

+1cc to Mr.A.R.Nixon, Advocate, S.R.No.6588
+1cc to the Government Pleader, S.R.No.7235

W.P.No.18271 of 2012

SS(CO)
CB(07/08/2020)



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