

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3325 of 2020

R.Boobalan

... Petitioner

-Vs-

1. The State of Tamil Nadu rep.by its
Principal Secretary to Government [FAC]
Commercial Taxes and Registration
Department, Fort St George,
Chennai 600 009.
 2. The Principal Secretary/Commissioner of
Commercial Taxes, Chepauk,
Chennai 600 005.
 3. The Joint Commissioner [Administration]
O/o.The Additional Chief Secretary/
Commissioner of Commercial Taxes
Chepauk, Chennai 600 005.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the 2nd respondent to pass appropriate orders on the representation dated 01.11.2019 and the reinder thereto dated 23.01.2020, seeking the benefits of appropriate revised fixation of seniority, consequent upon verification of the community status which was held to be a genuine one on merit and within a time to be stipulated by this Court.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Mr.M.Hariharan, AGP

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to pass orders on the representation made by the petitioner, who is seeking for revision of fixation in Seniority and for other consequential benefits.

2. The case of the petitioner is that he was selected to the post of Deputy Commercial Tax Officer. The posting of the petitioner was with-held in order to verify the community status of the petitioner, since the petitioner was claiming under the Scheduled Tribe community. The State level committee had considered the community status of the petitioner and by proceedings dated 26.07.2019, had held that the petitioner belongs to Scheduled Tribe Community.

3. The petitioner had made representations to the respondents to revise the fixation in Seniority and for other consequential benefits in view of the confirmation of the community status of the petitioner by the State Level Committee. Since the same has not been considered by the respondents, the present writ petition has been filed before this Court, seeking for appropriate directions.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the community status of the petitioner has already been confirmed by the State Level Committee by its proceedings dated 26.07.2019, there shall be a direction to the 2nd respondent to consider the representations made by the petitioners on 01.11.2019 and 23.01.2020 and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with copy of earlier representations dated 01.11.2019 and 23.01.2020 and also a copy of this order. No costs.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(J)
dt:12/02/2020

//True Copy//

Sub Assistant Registrar

rka

To

1. The State of Tamil Nadu
Principal Secretary to Government [FAC]
Commercial Taxes and Registration
Department, Fort St George,
Chennai 600 009.
2. The Principal Secretary/Commissioner of
Commercial Taxes, Chepauk,
Chennai 600 005.
3. The Joint Commissioner [Administration]
O/o.The Additional Chief Secretary/
Commissioner of Commercial Taxes
Chepauk, Chennai 600 005.

+1cc to Special Government Pleader(Taxes), S.R.No.12599
+1cc to Mr.L.Chandrakumar, Advocate S.R.No.11451

सत्यमेव जयते

W.P.No.3325 of 2020

(CO)
KKV/16/03/2020

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