

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27653 of 2013

G.Gopalakrishnan

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep by its Secretary,
Revenue Department,
Secretariat,
Fort St.George,
Chennai.

2.The Principal Secretary to Government,
Public (Special A Department),
Secretariat,
Fort St.George,
Chennai.

3.The Additional Chief Secretary and
Commissioner of Revenue Administration,
(Formerly known as Principal Secretary
Commissioner of Revenue Administration/
Special Commissioner and Commissioner
Of Revenue Administration)
Chepauk, Chennai - 5.

4.The District Collector,
Chennai District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to dispose of the petitioner's representation dated 03.09.2013 seeking refixation of seniority by submitting the report as sought by the second respondent vide his proceedings No.1774/A4/2010-11 dated 07.09.2013 in accordance with law.

For Petitioner : Mr.N.A.Nissar Ahmed

For Respondents: Mr.A.N.Thambi Durai
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent to dispose of the petitioner's representation dated 03.09.2013 seeking refixation of seniority by submitting the report as sought by the second respondent vide his proceedings No.1774/A4/2010-11 dated 07.09.2013 in accordance with law.

2.The case of the petitioner is that the petitioner joined the Revenue Department as direct recruit Assistant on 15.07.1974 and after holding various positions retired from service as Deputy Collector on 31.10.2005 on attaining the age of superannuation.

3.The grievance of the petitioner is that during the year 2009, the fourth respondent had recommended the petitioner's name to be included in the list of Deputy Collectors for the year 1997-98. The second respondent also vide proceedings dated 07.09.2013 called for report from the third respondent. However, no action was taken.

4.According to the petitioner, the names of the juniors who were similarly situated like the petitioner were included in the list of Deputy Collectors and hence they were able to get further promotion before their retirement. Hence, the petitioner made representation to the third respondent on 03.09.2013 and since there was no action, has come forward to file this writ petition.

5.The learned counsel appearing for the petitioner would submit that this Court may issue direction to the third respondent to pass appropriate orders on the petitioner's representation dated 03.09.2013.

6.Though the writ petition is of the year 2013, the respondents have not yet filed counter affidavit. The learned Special Government Pleader conceded to the request made by the learned counsel appearing for the petitioner.

7.In view of the above, this Court directs the third respondent to consider the petitioner's representation dated 03.09.2013, on merits and in accordance with law and pass appropriate orders, if the same has not yet been disposed of,

within a period of twelve weeks from the date of receipt of a copy of this order.

8.The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Revenue Department,
Secretariat,
Fort St.George,
Chennai.
- 2.The Principal Secretary to Government,
Public (Special A Department),
Secretariat,
Fort St.George,
Chennai.
- 3.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Chepauk, Chennai - 5.
- 4.The District Collector,
Chennai District.

+1cc to M/s.N.A.Nisaar Ahmed, Advocate Sr.39953
+1cc to the Government Pleader Sr.40072

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srg 07/01/2021