

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.10055 of 2019

P.Sailendiran

...Petitioner

Vs.

- 1.The Principal Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009
- 2.The Special Commissioner and
Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005
- 3.The District Collector,
Chennai District,
No.61, Rajaji Salai, Fourth Floor,
Chennai-600 001
- 4.The Assistant Director,
National Commission(SC & ST),
No.26, Hadoows Road,
Shasthri Bhawan, 2nd Floor,
Chennai-600 006

...Respondents

Prayer: Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of mandamus, directing the respondents 1 to 3 to include the name of the petitioner in the list of Thasildar of the year 2009 and Deputy Collector of the year 2014-15 as claimed in the representation dated 12.08.2015 and 25.08.2019.

For Petitioner : Mr.K.Mohanamurali

For Respondents : Mr.P.S.Siva Shanmugha Sundaram
Special Government Pleader
for R1 to R3

ORDER

The matter is taken up through web hearing.

2.The writ petition is filed with the following prayer:

"To direct the respondents 1 to 3 to include the name of the petitioner in the list of Thasildar of the year 2009 and Deputy Collector of the year 2014-15 as claimed in the representation dated 12.08.2015 and 25.08.2019".

3.Mr.Mohana Murali, learned counsel appearing for the petitioner reiterated the facts stated in the affidavit in support of the above prayer.

4.In response to the notice issued by this Court a detailed counter affidavit has been filed on behalf of the respondents. The averments contained in the counter affidavit appear to accept the claim of the petitioner for inclusion of his name in the panel for the Tahsildar in 2009 and for the post of Deputy Collector for the year 2014-15 and in paragraph No.13 it is stated that the request of the petitioner as above has been forwarded to the competent authorities and the same is still under consideration. Paragraph No.13 of the counter affidavit to that effect reads as under:

"13.With reference to para 15 it is submitted that the petitioner has submitted an appeal petition dated 12.08.2015 to include his name in the panel of Tahsildar for the year 2009 and also to include his name in the panel of Deputy Collector for the year 2014-15. In this connection, a proposal has been sent to the Principal Secretary/Commissioner of Revenue Administration, Chennai-05 to include his name in the panel of Tahsildar for the year 2009 vide this office C.No.A1/22357/2009, dated 05.11.2016. Further, it is submitted that the petitioner's appeal petition dated 25.03.2019 to include his name in the panel of Deputy Collector for the year 2014-2015 has been forwarded in original vide this

office C.No.A1/22357/2009 dated 06.05.2019 to the 2nd respondent i.e. Additional Chief Secretary/Commissioner of Revenue Administration, Chennai-05 and the same is under consideration".

5.Although the affidavit filed was signed in August 2019, today when the matter is taken up for hearing Mr.P.S.Sivashanmugha Sundaram, learned Special Government Pleader, appearing for the respondents would submit that the position as reflected in paragraph No.13 of the counter affidavit remains the same as on date and both the counsels would request this Court to give appropriate direction to the competent authorities to take a final decision on the request made by the petitioner herein.

6.In view of the submissions as above, the writ petition is disposed of with a direction to respondents 1 & 2 to pass appropriate orders on the proposal said to have been forwarded to them, as stated in paragraph No.13 of the counter affidavit above, within a period of eight weeks from the date of receipt of copy of this order. The order passed in pursuant to this direction shall be communicated to the petitioner forthwith. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msh/mrm

To

- 1.The Principal Secretary to Government,
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Fort St.George,
Chennai-600 009
- 2.The Special Commissioner and
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Chennai-600 005
- 3.The District Collector,
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SSV(CO)
KKV/31/07/2020



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