



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.3128 of 2011

and

M.P (MD)No.1 of 2011

WEB COPY

S.Nagendra

... Petitioner

Vs.

1.The Special Commissioner and Commissioner of
Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The District Collector,
Kanyakumari District,
Nagercoil.

3.Mrs.C.Bhavanijeeja (Tahsildar Cadre),
Taluk Supply Officer,
Agastheeswaram Taluk,
Nagercoil,
Kanyakumari District

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to include the petitioner's name in the panel for promotion to the post of Tahsildar for the year 2009 issued by the 2nd respondent in A6/22282/2009, dated 9.11.2009 by placing the petitioner above than Serial No.16 ie., 3rd respondent and consequently promote the petitioner as Tahsildar with effect from the date on which her juniors were promoted with all monetary and service benefits within the time limit that may be stipulated by this Court.

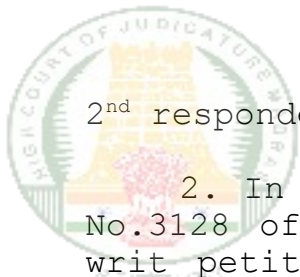
For Petitioner : Mr.G.Thalaimutharasu

For R1 and R2 : Mr.C.M.Marichelliah Prabhu
Addl.Govt.Pleader

For R3 : No Appearance

O R D E R

The relief sought for in this writ petition is to direct the 1st and 2nd respondents to include the petitioner's name in the panel for promotion to the post of Tahsildar for the year 2009 issued by the



2nd respondent in A6/22282/2009, dated 9.11.2009.

2. In view of the fact that the earlier writ petition (W.P.(MD) No.3128 of 2011) was dismissed for inclusion of the name of the writ petitioner in the panel for promotion to the post of Deputy Tahsildar, of the year 2006, the next promotion is also to be considered in accordance with the Rules in force.

3. In view of the fact that the petitioner was found not eligible for promotion to the post of Deputy Tahsildar for the year 2006, he is not entitled for promotion to the post of Tahsildar in the year 2009. Thus, the subsequent writ petition filed seeking a direction to grant promotion to the post of Tahsildar is not meritorious. This apart, only if the writ petitioner was promoted as Deputy Tahsildar for the year 2006, he would be eligible for promotion to the post of Deputy Tahsildar in the year 2009.

4. Under these circumstances, the present writ petition seeking promotion to the post of Tahsildar also deserves no merits consideration and accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

To

1.The Special Commissioner and Commissioner of
Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The District Collector,
Kanyakumari District,Nagercoil.

W.P. (MD)No.3128 of 2011

06.10.2020

MR (CO)

AP(15/10/2020) 2P 3C

<https://hcservices.ecourts.gov.in/hcservices/>