BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **09.03.2020**
CORAM:
**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**
**W.P(MD)No.4870 of 2020**

V.Rajasekaran ... Petitioner

Vs.

The Additional Chief Secretary/
Commissioner of Commercial Taxes
Ezhilagam,Chepauk
Chennai 600 005 ... Respondent

**PRAYER:** Writ Petition been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to include petitioner's name in the Ad-Hoc promotional panel of Assistant Commissioners (ST) by considering his representation, dated 06.02.2020 within the stipulated time fixed by this Court.

For petitioner : Mr.G.V.Vairam Santhosh
For Respondent : Ms.T.Padmavathy Devi
Special Government Pleader

**ORDER**

This Writ Petition has been filed by the petitioner seeking a direction to the respondent to include his name in the Ad-Hoc promotional panel of Assistant Commissioners (ST) by considering his representation, dated 06.02.2020 within the stipulated time to be fixed by this Court.

2. By consent, the Writ Petition itself is taken up for final disposal.

3.The learned counsel for the petitioner would submit that the petitioner's name was included in the list of Deputy Commercial Tax Officers for the year 2008 and he joined duty as Deputy Commercial Tax Officer on 09.09.2009. Thereafter, the petitioner's name was included in the list of Commercial Tax Officers for the year 2013, in which, 157 candidates were drawn and he was appointed as Commercial Tax Officer on 20.12.2013. The learned counsel would further submit that during the year 2008, there was no direct recruitment in the cadre of Deputy Commercial Tax Officer. Hence, the question of inter-se-seniority in the cadre of Deputy Commercial Tax Officers does not arise for the year 2008. Further, he submitted that there was no direct recruitment in the cadre of Commercial Tax Officer. The method of recruitment in the cadre of Commercial Tax Officer is only by promotion by transfer of service from the cadre of Deputy Commercial Tax Officer. Therefore, the question of inter-se-seniority does not arise in the cadre of Commercial Tax Officers for the year 2013 of 2014. Hence, the petitioner has submitted a representation, dated 06.02.2020, requesting the respondent to include his name in the Ad-Hoc promotional panel of Assistant Commissioners (ST) proposed to be drawn for the year 2018 and 2019. But till date, the respondent has not taken any steps to proceed further. Hence, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondent.

5. Considering the limited prayer sought for in the Writ petition and without adverting to the merits of the case, the respondent is directed to consider the representation of the petitioner dated 06.02.2020 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall send the copy of the representation, dated 06.02.2020 along with this order copy to the respondent.

6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

To
The Additional Chief Secretary/
Commissioner of Commercial Taxes
Ezhilagam
Chepauk,Chennai 600 005

+1 CC to M/s.G.V.VAIRAM SANTHOSE, Advocate ( SR-10711[F]
+1CC TO Spl.Govt.Pleader, Sr.No.10775

Order made in
**W.P(MD)No.4870 of 2020**
**09.03.2020**

**SMA/20/03/2020/2P/4C**