



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2020**

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P(MD)No.5139 of 2020

P.Jeyachandran

.. Petitioner

Vs.

1.The Principal Secretary/Commissioner of Revenue
Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Thanjavur District,
Thanjavur.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent ie., the District Collector, Thanjavur, to submit his report to the head of the department namely, the first respondent ie., the Principal Secretary/Commissioner of Revenue Administration, Chennai on the petitioner's representation dated 13.07.2016 as called for in the letter No.Na.Ka.Ser4(4)/41172/2016 dated 31.10.2016 of the Commissioner of Revenue Administration, Chennai for inclusion of the petitioner's name in the approved list of Assistant of the year 2010 within a specified time frame that may be fixed by this Court.

For Petitioner

: Mr.S.Visvalingam

For Respondents

: Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus, directing the second respondent to submit his report to the head of the department namely, the first respondent on the petitioner's representation dated 13.07.2016 as called for in letter No.Na.Ka.Ser4(4)/41172/2016, dated 31.10.2016 of the Commissioner of Revenue Administration, Chennai, for inclusion of the petitioner's name in the approved list of Assistant of the year 2010.

2.The case of the petitioner is that petitioner is serving as Firka Revenue Inspector, Thuvarankurichi Firka, Pattukottai Taluk, Thanjavur District. As per proceedings No.12438/2007/A1, dated 21.03.2007 by the District Collector, Thanjavur, he was appointed as Junior Assistant on Compassionate grounds. Pursuant to which, he



joined duty on 29.03.2007 and his services were regularized with effect from 29.03.2007, as per G.O(2D)No.422 Revenue Department, dated 10.06.2014 and his probation was also declared with effect from 28.03.2009, as per G.O(2D)No.178, Revenue Department, dated 30.03.2015 and his name was included in the approved list of Assistants in the year 2015.

3.The grievance of the petitioner is that his name should have been included in the approved list of Assistants of the year 2010 on par with his juniors, since he had passed all the prescribed tests within the crucial date of 15.03.2010 i.e., the date of drawal of list of Assistants for the year 2010. He was deputed for Bhavanisagar Training and Survey Training belatedly, because of administrative delay in declaration of his probation by the Government, which was accepted by the Government and the same was relaxed and declaration of probation was ordered. Therefore, the inclusion of his name in the approved list of Assistants of the year 2010 is a matter of routine. Hence, he made a representation on 13.07.2016 to the Commissioner of Revenue Administration, Chennai. On receipt of his representation, the Commissioner of Revenue Administration, Chennai, has sought for a report from the District Collector, Thanjavur, enclosing the petitioner's representation. But, the District Collector has not yet sent his report to the Commissioner. Hence, the petitioner is before this Court.

4.The learned counsel appearing for the respondents submitted that now the matter is pending with the second respondent and hence, he seeks time to consider the petitioner's request.

5.In view of the above, this Court directs the second respondent to sent a report to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of such report, the first respondent is directed to consider the petitioner's representation dated 13.07.2016 and pass orders on merits and in accordance with law, within a period of four weeks thereafter.

6.With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

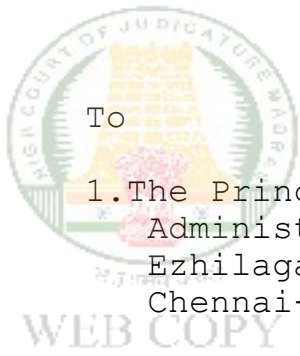
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/ /2020

Sub Assistant Registrar(CS)

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



To

1.The Principal Secretary/Commissioner of Revenue
Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Thanjavur District,
Thanjavur.

+1 CC to Mr.S.VISVALINGAM, Advocate (SR-11885[F] dated 16/03/2020)

+1 CC to SPL GP (SR-12255[F] dated 18/03/2020)

**ORDER MADE IN
W.P (MD) No.5139 of 2020
16.03.2020**

VB(07.05.2020) 3P 5C