



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.14370 of 2020

K.Anis Sathar

... Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai.
2. The Additional Secretary to Government,
Cum Commissioner,
Revenue Administration, Disaster Management
and Mitigation,
Chepauk, Chennai.
3. The District Collector,
District Collector Office,
Madurai District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 28.08.2014 and 21.09.2020 within stipulated time may be fixed by this Court based on the recommendation made by the third respondent in Na.Ka.No.42797/2014/pa Aa1, dated 09.12.2014.

For Petitioner : Mr.S.Ayyanar Prem Kumar
For Respondents : Mr.A.Thiagarajan
Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed to direct the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 28.08.2014 and 21.09.2020 within stipulated time as fixed by this Court based on the recommendation made by the third respondent in Na.Ka.No.42797/2014/pa Aa1, dated 09.12.2014.



3.It is the grievance of the petitioner that he has made a representation before the second respondent on 28.08.2014, seeking to include his name in the 2010 seniority list for the post of Deputy Tashildar. Thereafter, the third respondent forwarded his recommendation to the second respondent vide his proceeding in Na.Ka.No.42797/2014/pa Aa1 dated 09.12.2014, by recommending to include the petitioner's name in the 2010 seniority list, after the serial No.38. However, the second respondent has not taken any steps to consider the recommendation of the third respondent till date. Hence, the petitioner has given a separate representation on 24.09.2020 as a reminder to the same.

4. Mr.A.Thiagarajan, learned Government Advocate appearing for the respondents would submit that the representations of the petitioner dated 28.08.2014 and 21.09.2020 will be considered on merits and in accordance with law.

5.In view of the submission made by the learned counsel appearing on either side, it appears that originally based on the representation dated 28.08.2014, the third respondent forwarded the recommendation to the second respondent on 09.12.2014. However, the same is pending with the second respondent. Further it appears that the representations were made only for the purpose of including the name of the petitioner in 2010 seniority list based on the recommendation made by the third respondent (Collector). Hence, I do not see any justifiable reasons on the part of the respondents in failure to include the petitioner's name in the seniority list of 2010 based on the said recommendation.

6.In view of the above, this Court directs the second respondent to dispose of the petitioner's representations dated 28.08.2014 and 21.09.2020 within a period of four weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To:-

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai.
2. The Additional Secretary to Government,
Cum Commissioner,
Revenue Administration, Disaster Management
and Mitigation,
Chepauk,
Chennai.
3. The District Collector,
District Collector Office,
Madurai District.

+1 CC to the SPL GP SR-20182.

+1 CC to Mr.S.AYYANAR PREM KUMAR, Advocate SR-20279.

W.P. [MD]No.14370 of 2020
14.10.2020

SR(CO)
CS(06.11.2020) 3P 6C