

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.24513 of 2019

V.Parthasarathy

... Petitioner

Vs.

1. State of Tamil Nadu,
represented by its Secretary to Government,
Revenue Department,
Chennai 600 009.
 2. The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chennai 600 005.
 3. The District Collector,
Chennai Collectorate,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai 600 001.
- Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondent to consider the representation dated 25.02.2019 given by the Petitioner to the Respondents to recast G.O.191, dated 28.05.2018 by way of new G.O. amending the earlier, in order to protect the seniority of the existing employees of Chennai District, consequently to rectify the anomaly in fixing the inter-se-seniority and further rectify the mistake taken place in the temporary panel of Deputy Tahsildar dated 04.01.2019 for the year 2018 and to direct the Respondent to include the name of the Petitioner as per the seniority list published by the second Respondent in his proceedings in A2/1814/2018, dated 20.09.2017, in the existing vacancy in the panel by taking into consideration the service rendered by the Petitioner to the Government.

For Petitioners : Mr.K.Chozhan

For Respondents : Mr.P.V.Selvakumar
Additional Government Pleader

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondent to consider his representation dated 25.02.2019 made to the Respondents to recast G.O.191, dated 28.05.2018 by way of new Government Order amending the earlier, in order to protect the seniority of the existing employees of Chennai District and consequently to rectify the anomaly in fixing the inter-se-seniority and further rectify the mistake taken place in the temporary panel of Deputy Tahsildar dated 04.01.2019 for the year 2018 and to direct the Respondents to include his name as per the seniority list published by the second Respondent in his proceedings in A2/1814/2018, dated 20.09.2017, in the existing vacancy in the panel, by taking into consideration the service rendered by him to the Government.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. This Court is not inclined to go into the factual pleas taken by the Petitioner in the Affidavit, as the learned counsel for the Petitioner has confined his arguments with regard to disposal of the Petitioner's representation dated 25.02.2019.

4. In view of the above and considering the facts and circumstances of the case, this Court directs the Respondents herein to consider the Petitioner's representation dated 25.02.2019 on merits and in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders on the same, within a period of sixty days from the date of receipt of a copy of this order.

5. It is made clear that, parties are at liberty to reserve the factual and legal pleas raised in their respective Affidavits, at the time of personal hearing.

6. Petitioner shall furnish his phone number, email ID, if any, etc., along with a copy of the representation dated 25.02.2019 and a copy of this order, to the Respondents forthwith. Respondents are directed to communicate the decision taken on the said representation to the Petitioner herein within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that, there is no need for the parties to file contempt after expiry of the specified period. In case, the authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file

without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that he/she is not aware of the order of this Court.

With the above direction and observation, this Writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS.VII)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Chennai 600 009.
2. The Principal Secretary/
Commissioner of Revenue Administration,
Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chennai 600 005.
3. The District Collector,
Chennai Collectorate,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai 600 001.

+1cc to M/s.K.Chozhan, Advocate SR.NO..13609
+1cc to The Government Pleader SR.NO..13730

AKM/30.03.21/3P- 6C/

सत्यमेव जयते

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