

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.3122 of 2014

G.Shanmugam

... Petitioner

Vs.

1.The Secretary to Government,
Commercial Taxes & Registration Department,
Fort St. George, Chennai - 09.

2.The Inspector General of Registration,
Santhome, Chennai - 600 028.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to include the petitioner name in the revised seniority list of Sub-Registrar Grade-II for the year 1994-95 and the subsequent promotion in appropriate place and grant all consequential service and monetary benefits.

For Petitioner : Mr.S.Sivakumar

For Respondents: Mr.T.M.Pappiah

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to include the name of the petitioner in the revised seniority list of Sub-Registrar Grade-II for the year 1994-95 and the subsequent promotion in appropriate place and grant all consequential service and monetary benefits.

2.It is the case of the petitioner that he entered into the service as Junior Assistant in the Revenue Department on 21.06.1976. Subsequently, he was appointed as Junior Assistant on 12.01.1978 in the Registration Department and was promoted as Assistant on 05.02.1992 and on attaining the age of superannuation, retired from service on 30.09.2010. It is the

further case of the petitioner that he is fully qualified for promotion to the post of Sub Registrar Grade II for the year 1994-95 and entitled for further upgradation as Grade I for the year 1999-2000 as per the revised seniority, however, his name was not included in the panel, whereas his juniors were promoted with retrospective effect. Hence, he made a detailed representation on 20.06.2012 to the respondents requesting to include his name in the panel 1994-95, for which he was orally informed that the petitioner was imposed with a punishment of reduction to a lower rank and hence, his request was not considered. According to the petitioner, the crucial date for promotion to the post of Sub Registrar Grade II is 15.03.1994 and at that time, he was neither facing any disciplinary proceedings nor having any currency of punishment; and hence, the denial of re-fixation of seniority and the subsequent promotion to the petitioner is arbitrary, illegal and discriminatory in nature. With these averments, the petitioner has filed this writ petition for the aforesaid relief.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 20.06.2012 is directed to be considered by the respondents within a time frame to be stipulated by this Court, for which, the learned Special Government Pleader appearing for the respondents has no serious objection.

4.Considering the limited relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this Court directs the respondents to consider the petitioner's representation dated 20.06.2012, if not already considered, and pass appropriate 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.

5.Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Secretary to Government,
Commercial Taxes & Registration Department,
Fort St. George, Chennai - 09.

2. The Inspector General of Registration,
Santhome, Chennai - 600 028.

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VSN II (CO)
CB(03/03/2021)



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