



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.11229 of 2021

WEB COPY

N.Ravichandran

... Petitioner

vs.

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

2.The District Collector,
Dindigul District, Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent ie., the Principal Secretary and Commissioner of Revenue Administration, Chennai, to pass appropriate orders on the petitioner's appeal dated 13.06.2020 regarding re-fixing his seniority in the combined seniority list of the District Collector, Dindigul passed in his proceedings No.R.C.23759/2011/A3, dated 21.02.2020.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.P.Subbaraj
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the first respondent to pass appropriate orders on his appeal, dated 13.06.2020 regarding re-fixing his seniority in the combined seniority list of the District Collector, Dindigul, dated 21.02.2020.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.According to the petitioner, he was originally recruited through Employment Exchange and appointed as Telephone Operator and joined duty on 15.10.2008 and his services in the cadre of Telephone Operator was regularised with effect from 15.10.2008 and the probation was also declared on 13.10.2010. While so, the petitioner was transferred and posted as Junior Assistant and he joined duty as Junior Assistant on 09.07.2014. Further, according to the petitioner, his name was not included in the approved list of Assistants of the year 2016 on the ground that he has not completed the period of probation in the cadre of Junior Assistant. As per the proceedings, dated 21.02.2020, the petitioner's seniority was fixed



as Sl.No.56 along with the individuals whose services were regularized in the Year 2013. Hence, the petitioner preferred an appeal before the first respondent to re-fix his seniority in between Sl.Nos.23 and 24 in the combined seniority list of Junior Assistant and Typist instead of Sl.No.56. The above said appeal is still pending with the first respondent and so far no order has been passed by the first respondent. Hence, the petitioner has come out with the present Writ Petition.

4.Taking into consideration the fact that the petitioner's appeal, dated 13.06.2020, is pending before the first respondent, without deciding the issue on merits, the first respondent is directed to dispose of the appeal, dated 13.06.2020 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.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ps

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.

To

1.The Principal Secretary and Commissioner of
Revenue Administration,
Ezhiilagam, Chepauk, Chennai - 600 005.

2.The District Collector,
Dindigul District, Dindigul.

+1 CC to M/s.SPL GP (SR-22665[F] dated 15/07/2021)

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RD(22.07.2021) 2P 4C