



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P (MD) No.14772 of 2021

WEB COPY

S.Prem Kumar.
Senior Revenue Inspector,
Revenue Divisional Office,
Dindigul.

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai - 600 009.

2.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The District Collector,
Dindigul District,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to strictly adhere the reservation of 200 point roster contemplated under Section 27 of the Tamil Nadu Government Servant (Conditions of Service) Act 2016 and by considering the petitioner's representation dated 07.09.2020, within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohamed Suhail
for M/s.Ajmal Associates
For Respondents : Mr.S.Shanmugavel
Standing Counsel for State

ORDER

This Writ Petition is filed for the issuance of a Writ of Mandamus, directing the respondents to strictly adhere to the reservation of 200 point roster contemplated under Section 27 of the Tamil Nadu Government Servant (Conditions of Service) Act 2016 and by considering the petitioner's representation dated 07.09.2020, within the period that may be stipulated by this Court.



2. The petitioner made a representation to the third respondent, namely the District Collector, Dindigul, seeking for strict implementation of the rule of reservation, as contemplated under Section 27 of the Tamil Nadu Government Servant (Conditions of Service) Act 2016. However, the aforesaid representation is still pending and no orders have been passed. Hence, the petitioner has filed the present Writ Petition before this Court.

3. Though the Writ Petition was filed with the larger prayer of implementation of rule of reservation, however during the course of the arguments, the learned counsel for the petitioner restricted the prayer by stating that it is sufficient if a direction is given to the third-respondent to consider the representation of the Petitioner dated 07.09.2020 and would further submit that the allegation about the adherence of reservation roster as alleged in the representation may not be relevant, as it may be premature in view of the pendency of the said representation.

4. The writ petitioner has made a representation dated 07.09.2020 by alleging that the respondent has not implemented the rule of reservation in the Dindugul District and the respondent has particularly accommodated the scheduled caste community, thereby depriving the backward and other communities of their legitimate right. However, at the stage of arguments, the learned counsel for the petitioner has confined the relief to consider the said representation, without going into the larger issue of reservation roster. Therefore, this Court without going into the merits and demerits in the representation dated 07.09.2020 Of the petitioner, directs the third respondent to consider the said representation on its own merits and in accordance with law as expeditiously as possible within a period of 12 weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above directions. No costs.

Sd/-

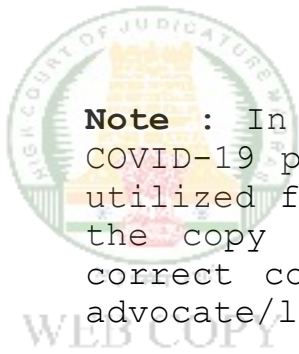
Assistant Registrar (AE)

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Sub Assistant Registrar(CS)

MNR



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 to Government,
Revenue Department,
Secretariat, Chennai - 600 009.

2.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The District Collector,
Dindigul District,
Dindigul.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-26656[F] dated 18/08/2021)

+1 CC to M/s.SPL GP (SR-26733[F] dated 19/08/2021)

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KMV (CO)
SB(02.09.2021) 3P 6C