



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P (MD)No.18667 of 2021

B.Rajeswari

... Petitioner

Vs.

1.The Principal Secretary cum Commissioner of Revenue
Administration,
Revenue and Disaster Management Department,
Chepauk,
Chennai - 5.

2.The District Collector,
Madurai District.

3.The District Revenue Officer,
O/o.District Revenue Officer,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent no.1 to dispose of the Appeal preferred by the petitioner dated 15.07.2019.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State.

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondent no.1 to dispose of the Appeal preferred by the petitioner dated 15.07.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

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



4. According to the petitioner, she was appointed as a Typist and later, promoted to the post of Assistant and to the post of Senior Revenue Inspector and while working as such, at her request, she was transferred to Madurai Revenue District and a condition was stipulated that the petitioner will be placed immediately below the last candidate who joined in the post of Typist. But contrary to the condition, the 3rd respondent has wrongly fixed the petitioner's seniority and placed her at Sl.No.102. Aggrieved by the same, the petitioner preferred an Appeal dated 15.07.2019 before the 1st respondent, requesting to refix her seniority and grant consequential promotion. Since no response was forthcoming, the petitioner has come forward with the present Writ Petition.

5.The learned Standing counsel would submit that the appeal preferred by the petitioner would be considered in accordance with law if it is otherwise in order.

6.In view of the submissions made by the learned counsel on either side and also in view of the limited scope of prayer as sought by the petitioner, since the appeal has been pending with the 1st respondent, without expressing any opinion on merits, this Court, directs the 1st respondent to dispose of the appeal preferred by the petitioner dated 15.07.2019 in accordance with law and on merits and pass appropriate orders within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 cum Commissioner of Revenue
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2.The District Collector,
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3.The District Revenue Officer,
O/o.District Revenue Officer,
Madurai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-32049[F] dated
21/10/2021)

+1 CC to M/s.SPL.GP (SR-32066[F] dated 21/10/2021)

**W.P (MD) No.18667 of 2021
20.10.2021**

RK/JC (15/11/2021) 3P 6C