



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)No.5814 of 2018

and

W.M.P(MD).No.5677 of 2018

M.Loganathan

... Petitioner

Vs.

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St George, Chennai.

2.The Inspector General of Registration,
Santhome High Road,
Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to re-fix the petitioner's seniority in the higher grade of Sub Registrar Grade I, District Registrar and Assistant Inspector General of Registration as a consequence of the re-fixation of his seniority in the entry grade of Sub Registrar Grade II by proceedings dated 06.12.2013 and after such re-fixation make further promotions to higher grade including that of Deputy Inspector General of Registration, Additional Inspector General of Registration on the basis of revised seniority.

For Petitioner : Mr.V.Vijayashankar for
Mr.V.Karthikeyan

For Respondents : Mr.A.K.Manickam, SGP

ORDER

Heard Mr.V.Vijayashankar for Mr.V.Karthikeyan, learned counsel for the petitioner and Mr.A.K.Manickam, learned Special Government Pleader appearing for the respondents.

2.The petitioner has sought a Mandamus, directing the respondents to re-fix his seniority in the higher grade of Sub-Registrar Grade I, District Registrar and Assistant Inspector General of Registration as a consequence of the re-fixation of his



seniority in the entry grade of Sub Registrar Grade II, vide proceedings dated 06.12.2013. He seeks all consequential benefits, promotion as well.

3. Both Mr. Vijayashankar, learned counsel appearing for the petitioner and Mr. A.K. Manickam, learned Special Government Pleader appearing for the respondents would concur on the position that the very same issue as agitated by the petitioner in the present Writ Petition has been put forth by the 16 persons in WP.No.27194 of 2013. A learned Single Judge of this Court, sitting in the Principal seat has disposed that Writ Petition on 18.11.2020 holding that the Writ Petition has become infructuous, in the light of judgment of the Hon'ble Supreme Court in *K. Madalaimuthu and another Vs. State of Tamil Nadu and others* (2006 (6) SCC 558).

4. The learned Single Judge, while dismissing the writ petition, has granted liberty to those petitioners to make further representation seeking fixation of their seniority in the higher category and directed the respondents that upon receipt of such representation if any, they will consider the same and pass appropriate orders in accordance with law.

5. Thus, in the interests of the uniformity, this Writ Petition is also dismissed as infructuous. Liberty is granted to the petitioner to make a fresh representation seeking re-fixation of seniority, and such representation if and when filed, shall be considered by the second respondent/Inspector General of Registration and disposed expeditiously, after hearing the petitioner, in accordance with law.

6. With the above liberty, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

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 Secretary to Government,
Commercial Taxes and Registration Department,
Fort St George, Chennai.

2.The Inspector General of Registration,
Santhome High Road,
Chennai.

+1 CC to M/s.SPL GP (SR-36026[F] dated 26/11/2021)

W.P. (MD) No.5814 of 2018

25.11.2021

MGJ(06.01.2022) 3P 4C