



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.7408 of 2018

and W.M.P. (MD) No.7089 of 2018

(Through Video Conference)

R.Thirunavukkarasu

... Petitioner

Vs

1. The Principal Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai 600 005

2. The District Collector,
Madurai District,
Madurai.

3. The District Revenue Officer,
Madurai District, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, directing the respondents 2 and 3 to include the name of the petitioner in the panel of Assistants for the year 2013 and include petitioner's name in the panel of Deputy Tahsildars for Madurai District for the year 2017-2018 on par with petitioner's juniors by considering the recommendation of the 2nd respondent by relaxing relevant rules.

For Petitioner : M/s W.Pamelin

For Respondents : Mr.S.Dhayalan,
Government Advocate

O R D E R

The petitioner herein, is a Revenue Assistant, from the year 2015 onwards in Peraiyur Taluk, Madurai, who seeks for inclusion of his name in the panel of Assistant in the year 2013 fit for promotion as Deputy Tahsildars for the year 2017-2018.

2. Pursuant to the petitioner's request, for such inclusion, the second respondent / District Collector, Madurai through his proceedings dated 20.09.2016 had recommended for including the name of the petitioner from the year 2013 onwards in the panel. Since no further proceedings had taken place thereafter, the petitioner had filed the present writ petition.



3. The process of inclusion of the names of government employees in the panel, requires to be done by the concerned Statutory Authority, based on various factors touching upon this service records and this Court may not be justified in directing such Authority for the purpose of refixing the panel. Nevertheless, if the petitioner is granted an opportunity to approach the concerned Authority, ventilating their grievances and for a consequential direction to the Authority concerned, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is granted liberty to make fresh representation to the first respondent herein claiming inclusion of his name in the panel of Assistant for the panel 2013, for the purpose of promotion to the post of Deputy Tahsidar for the year 2017-2018 and on receipt of such representation, the first respondent shall consider the same in the light of the proceedings of the Deputy Collector, Madurai in e.f.gm2/29999/2016 dated 20.09.2016 as expeditiously as possible, in any event within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected W.M.P. (MD) No.7089 of 2018 stands closed.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

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To:

1. The Principal Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai 600 005

2. The District Collector,
Madurai District,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The District Revenue Officer,
Madurai District, Madurai.

+1 CC to M/s.GP (SR-5147[F] dated 15/02/2021)

WEB COPY

Order made in
W.P. (MD)No.7408 of 2018

Dated:
12.02.2021

GS (16.06.2021) 3P 5C