



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.21001 of 2018

and

W.M.P. (MD) No.18774 of 2018

WEB COPY

1.N.Senthil Kumar
2.M.Perumal
3.P.Saravanakumar

... Petitioners

-vs-

1.The Government of Tamilnadu
rep.by its Principal Secretary
Department of Commercial Taxes and Registration
Fort.St.George, Chennai-600 009

2.The Deputy Commissioner (East)
Commercial Taxes Building
Dr.SVKS Thangaraj Salai
Madurai-625 020

3.The Deputy Commissioner (West)
Commercial Taxes Building
Dr.SVKS Thangaraj Salai
Madurai-625 020

4.The Deputy Commissioner
O/o.the Deputy Commissioner
Sub-Collector Office Road
Dindugal-624 001

5.The Deputy Commissioner
O/o.the Deputy Commissioner
Collector Office Campus
14, Maruthupandiar Nagar
Sivagangai-630 562

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent No.2 to call the petitioners for interview for the post of Office Assistant as per Notification dated 28.02.2018 issued by the respondent No.2 within the time stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy
For Respondents : Mr.S.Shanmugavel
Government Counsel



O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus directing the second respondent to call the petitioners for interview for the post of Office Assistant, as per Notification dated 28.02.2018 issued by him, within the time stipulated by this Court.

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2. When the matter was taken up for hearing, the learned Government Counsel appearing for the respondents, by producing a copy of communication, dated Nil.01.2020, sent by the Deputy Commissioner (ST) FAC), Madurai (East) to the Special Government Pleader (Taxes), submitted that the vacancy position in the cadre of Office Assistant has been advertised in the newspaper as well as the list of candidates has been obtained from the Employment Exchange as per the circular instructions of CCT, Chennai, dated 20.08.2015, for appointment in the cadre of Office Assistant in Madurai (East) CT District. Further, from 01.06.2019, the Commercial Taxes Department has been re-organized as per G.O.Ms.No.30, CT&RE, dated 04.03.2019 and due to the said reorganization, the excess Office Assistants in Sivagangai, Dindigul and Madurai (West) CT Districts were posted in the vacant places in the Madurai (East) CT District and there is no vacancy in the cadre of Office Assistant in Madurai (East) CT District as on date. Hence, the question of appointing new Office Assistants in Madurai (East) CT District does not arise and the relief sought for by the petitioners in this writ petition cannot be acceded to and the same is liable to be rejected.

3. Recording the above submissions of the learned Government Counsel for the respondent, this writ petition is dismissed. However, it is left open to the petitioners to raise the grounds, as raised in this writ petition, at the later stage, if necessary. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

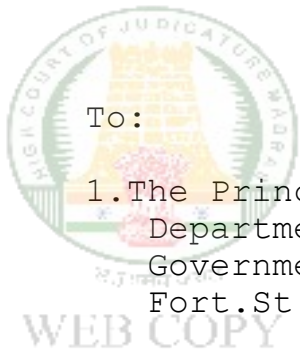
Assistant Registrar (P & A)

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/ /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.



To:

1.The Principal Secretary,
Department of Commercial Taxes and Registration,
Government of Tamilnadu,
Fort.St.George, Chennai-600 009.

2.The Deputy Commissioner (East),
Commercial Taxes Building,
Dr.SVKS Thangaraj Salai,
Madurai-625 020.

3.The Deputy Commissioner (West),
Commercial Taxes Building,
Dr.SVKS Thangaraj Salai,
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Dindugal-624 001.

5.The Deputy Commissioner,
O/o.the Deputy Commissioner,
Collector Office Campus,
14, Maruthupandiar Nagar,
Sivagangai-630 562.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-29227[F] dated
16/09/2021)

+1 CC to M/s.SPL. GP (SR-29333[F] dated 16/09/2021)

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RS (27.09.2021) 3P 8C