



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.12413 of 2022

and

W.M.P.No.11874 of 2022

A.G.Chinnasshami

... Petitioner

vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028.
 2. The Deputy Inspector General of Registration,
Office at 6/1, GRD Road, Opp. Air Force Admin College,
Redfields, Coimbatore 641 018.
- ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent herein to include the name of the Petitioner in the appropriate place in the panel for promotion to the post of Sub Registrar Grade-2 for the year 2015-16 as approved in Proceedings No. 54844/A5/2015 dated 10.06.2016 and to promote the petitioner to the said post with retrospective effect from the date of promotion of his immediate junior from the aforesaid panel and to grant him all consequential benefits with interest of delayed payments within limited time frame as deemed fit by this Court.

For Petitioner : Mr.M.Ravi

For Respondents: Mr.T.Arunkumar
Additional Government Pleader

O R D E R

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

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent herein to include the name of the petitioner in the appropriate place in the panel for promotion to the post of Sub Registrar Grade-2 for the year



2015-16 as approved in Proceedings No. 54844/A5/2015 dated 10.06.2016 and to promote the petitioner to the said post with retrospective effect from the date of promotion of his immediate junior from the aforesaid panel and to grant him all consequential benefits with interest of delayed payments within limited time frame as deemed fit by this Court.

3. According to the petitioner, the petitioner was appointed as Junior Binder on 18.03.1992 in the Registration Department and he was posted at District Registrar Office, Erode. Thereafter, he was promoted as Junior Assistant on 13.05.1994 and posted at Bhavani Sub-Registrar Office. Subsequently, he was promoted as Assistant on 05.12.2011 and posted at Sub-Registrar Office, Bhavani, Erode District. Thereafter, his name was included in the panel for promotion to the post of Sub-Registrar Grade 2 for the year 2015-16. But the petitioner was not promoted on the ground that the disciplinary proceedings was pending as against him. The petitioner's immediate junior was promoted to the said post based on the aforesaid panel for the year 2015-16. Subsequently, the petitioner was exonerated from the aforesaid charges framed under Rule 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal Rules) by the 1st respondent by his proceedings No.19627/B2/2015, dated 27.10.2020.

4. According to the learned counsel appearing for the petitioner that subsequently his junior was promoted as Sub Registrar Grade 2, as if his junior whether belongs to MBC category, but actually the petitioner's junior does not belong to the said category. The said aspect has not been considered by the respondents. Subsequently, he was reverted back to the post of Assistant. Therefore, the petitioner has made a representation dated 09.11.2020 addressed to the 1st respondent seeking promotion on par with his immediate junior. But the said representation is still pending, no order has been passed. Hence, he filed the instant writ petition before this Court.

5. The learned Additional Government Pleader appearing for the respondents would submit that the said representation dated 09.11.2020 is pending and the same would be considered by the authority concerned on its own merits and in accordance with law.

6. In view of the above submissions made by the parties, this Court is inclined to direct the 1st respondent to consider the petitioner's representation dated 09.11.2020 and pass appropriate orders on its own merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the copy of the representation dated 09.11.2020 along with this order before the 1st respondent.



7. With the above directions, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dm

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028.
2. The Deputy Inspector General of Registration,
Office at 6/1, GRD Road, Opp. Air Force Admin College,
Redfields,
Coimbatore 641 018.

+1cc to Mr.M.Ravi, Advocate, S.R.No.32398
+1cc to the Government Pleader, S.R.No.33046

W.P.No.12413 of 2022

NR(CO)
CT/23/06/2022