



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.9681 of 2022

S.Krupakaran

...Petitioner

Vs.

The Principal Secretary to
Government,
Revenue and Disaster Management
Department,
Chepauk,
Chennai - 600 005.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondent to dispose of the appeal dated 03.01.2022 challenging the order bearing Proceedings No.Ser 3(1) 46676/2013 dated 09.12.2021 within a time frame fixed by this Court.

For Petitioner : Mr.L.Dhamodharan

For Respondent : Mr.S.Prabhakaran
Government Advocate

ORDER

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

2. The case of the petitioner in brief:

The petitioner herein was originally appointed as Village Administrative Officer and thereafter, by conversion he was appointed as Junior Assistant. Subsequently, he was promoted as Assistant on 15.10.1999 and thereafter as Deputy Tahsildar on 30.01.2010. The probation period for the post of Deputy Tahsildar was completed on 23.02.2012. The District Collector has drawn a panel of Tahsildar for the year 2012 in Tiruvallur District as a crucial date on 01.07.2022 and the petitioner's name was initially included in the panel list for the year 2009 which was drawn on 22.01.2010. The vacancy in the cadre of Tahsildar was approved by the 1st respondent and the petitioner's name was forwarded by the 2nd respondent also.



Thereafter, the petitioner attained the age of superannuation on 30.11.2021. Subsequently, his juniors got promoted based on the drawal of the panel on the crucial date i.e 01.07.2012. Therefore, the petitioner made a representation for grant of notional promotion and to extend the monetary benefits. But, the said claim was rejected on the ground that the petitioner attained the age of superannuation. Thereafter, the petitioner preferred an appeal before the Appellate Authority against the order dated 09.12.2021 passed by the Additional Chief Secretary/Commissioner of Revenue Administration and Disaster Management, on 03.01.2022. The aforesaid appeal is pending before the Appellate Authority and till date, no order has been passed. Hence, the petitioner has filed this writ petition before this Court, seeking aforesaid remedy.

3. Mr.S.Prabhakaran, learned Government Advocate appearing for the respondent submitted that the said appeal will be disposed of on merits and in accordance with law, within a time prescribed by this Court.

4. In view of the aforesaid submission and considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the respondent to consider the petitioner's appeal dated 03.01.2022 on merits and in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

The Principal Secretary,
Revenue and Disaster Management Department,
Chepauk, Chennai - 600 005.

+1cc to Mr.L.Dhamodharan, Advocate SR.No.27260
+1cc to Government Pleader SR.No.27162

W.P.No.9681 of 2022

MG (CO)
GMY (06/05/2022)