



WEB COPY



W.P. No.14468 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.14468 of 2022

and

W.M.P. Nos.13685, 13687, 30891 and 30898 of 2022

1. S. Bhuvaneswari
2. M. Vignesh
3. G. Jayakumar
4. C. Vanitha
5. P. Vikram
6. G. Ramesh
7. S. Vasavi
8. R. Sangareswari
9. N.D. Rajakumari

...Petitioners

VS.

1. The State of Tamil Nadu rep.
By its Principal Secretary,
Revenue Department,
Fort St. George,
Chennai – 9.

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

3. The District Collector,
Chennai District.

4. Parimalakanthan
5. T. Ramesh

...Respondents



W.P. No.14468 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the order of the 3rd respondent made in Procds. No.A1/Pdl.289/2022 dated 09.05.2022 and a consequential promotion orders in Proc. No.A1/001/2022 dated 12.05.2022, to quash the same and to consequently direct the respondents 1 to 3, to forthwith promote the petitioners as Thasildar from the date on which their respective juniors were promoted as such by declaration of probation on the respective dates with all consequential service and monetary benefits arising thereto.

For petitioners : Mr.L.Chandrakumar
For respondents : Mr.L.S.M. Hasan Fizal,
Addl. Govt. Pleader

ORDER

At the outset, the learned counsel for the petitioners would submit that he has received written instructions from the petitioners 1 to 7 to withdraw this writ petition, since the relief sought for by them in this writ petition has already been granted. Accordingly, this writ petition is dismissed as not pressed by the petitioners 1 to 7.

2. However Mr.Chandrakumar, learned counsel for the remaining petitioners would submit that while regularising the services of the remaining petitioners viz., petitioners 8 and 9, the declaration of probation has been issued belatedly by wrongly excluding the maternity



W.P. No.14468 of 2022

leave period. According to him, as per law the said period has to be included.

3. The learned counsel for the petitioner would further submit that the petitioners 8 and 9 are willing to give a representation to the respondents requesting the respondents to include the period of their maternity leave for the purpose of declaring the petitioners actual date of probation.

4. No prejudice would be caused to the respondents, if the petitioners' representation is considered on merits and in accordance with law

5. For the foregoing reasons, the writ petition filed by the petitioners viz., 1 to 7 is dismissed as not pressed. However, insofar as the relief sought for by the petitioners 8 and 9 are concerned, they are directed to give a representation to the respondents requesting for declaration of their probation by including the period of their maternity leave, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the respondents 1 to 3 shall pass final orders on merits and in accordance with law within a period of eight weeks thereafter.



W.P. No.14468 of 2022

6. In terms of the above mentioned directions, this writ petition is disposed of. No costs. Accordingly, connected miscellaneous petitions are hereby closed.

29.11.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To

1. The State of Tamil Nadu rep.
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2. The Principal Secretary /
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W.P. No.14468 of 2022

ABDUL QUDDHOSE, J.

vsi2

W.P. No.14468 of 2022

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