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W.P.No.15608 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 15608 of 2021

R.Thuthigai Venthan

.. Petitioner

Vs.

1.The Commissioner,

Department of Treasuries and Accounts,
Integrated Complex for Finance Department,
3rd floor, Veterinary campus,
Anna Salai, Nandanam, Chennai-600035.

2. The Additional Director (Admn) of Treasuries and Accounts,
Department of Treasuries and Accounts,
Integrated Complex for Finance Department,
3rd floor, Veterinary campus,
Anna Salai, Nandanam, Chennai-600035.

3.The Additional Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and
Disaster Management,
Chepauk, Chennai-600005.

4.Government of Tamil Nadu,
Rep. by its Secretary,
Revenue and Disaster Management Department,
Fort St.George, Chennai- 600009.

5.The Collector,
Cuddalore District, Cuddalore.

.. Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration declaring the action of the respondents in not reverting the petitioner to the 2nd respondent department on the basis of the order of the 2nd respondent dated 29.06.2018 bearing No.Se.Mu.Na.Ka.No.24788/2018/M1 and on the basis of the recommendation dated 14.12.2018 bearing Na.Ka.No.A3-5444-2018 made to the 5th respondent as illegal, arbitrary and contrary to law and consequently direct the respondents to revert the services of the petitioner to the 2nd respondent department with continuity of service, attendant benefits and all other benefits.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.S.Prabhakaran, GA

ORDER

According to the learned counsel for the petitioner, the petitioner had joined as Accountant in Treasuries and Accounts Department, Chennai and his service was also regularised w.e.f. 30.03.2015. subsequently, the petitioner has appeared for the examination held for direct recruitment for the combined civil services examination (Group II Services) for the year 2014-2016 and selected for the post of Revenue Assistant in the Revenue Department in Cuddalore. Based on the request made by the petitioner, the



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2nd respondent had relived the petitioner from service by order dated

29.06.2018 by retaining the lien for one year.

2. The learned counsel for the petitioner has further submitted that the the petitioner was not interested to join the Revenue Service, therefore he made a request to the 5th respondent to go back to the Treasuries Department. The Tahsildar, Cuddalore by letter dated 14.02.2018 forwarded his request to the 5th respondent by informing that no proceedings are pending against the petitioner. According to the learned counsel for the petitioner the said proposal submitted by the Tahsildar, Cuddalore is still pending with the 5th respondent, hence the learned counsel for the petitioner seeks directions to the 5th respondent to consider the proposal submitted by the Tahsildar, Cuddalore.

3. The learned Government Advocate appearing for the respondents submitted that the said proposal submitted by the Tahsildar, Cuddalore will be considered by the 5th respondent and appropriate orders will be passed in accordance with law, within a time frame as stipulated by the Court.



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- i. The writ petitioner is directed to make a fresh representation to the 5th respondent based on the proposal submitted by the Tahsildar, Cuddalore, within a period of two weeks from the date of receipt of a copy of this order.
- ii. If any such representation is received, the 5th respondent is directed to consider the same and pass orders on merits in accordance with law, as expeditiously as possible, within a period of eight (8) weeks thereafter.

06.04.2022

Internet : Yes / No
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To

1. The Commissioner,
Department of Treasuries and Accounts,
Integrated Complex for Finance Department,
3rd floor, Veterinary campus,
Anna Salai, Nandanam, Chennai-600035.
2. The Additional Director (Admn) of Treasuries and Accounts,
Department of Treasuries and Accounts,
Integrated Complex for Finance Department,
3rd floor, Veterinary campus,
Anna Salai, Nandanam, Chennai-600035.



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3. The Additional Secretary/
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D.KRISHNAKUMAR. J

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