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W.P.Nos.20311 & 20312 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.20311 & 20312 of 2014

K.Pechiappan

... Petitioner in
W.P.No.20311/2014

V.Monikavasagam

... Petitioner in
W.P.No.20312/2014

Vs

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George, Chennai – 600 009.

2.The Inspector General of Registration,
Santhome, Chennai – 28.

... Respondents
in both W.Ps.

COMMON PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Sub-Registrar Grade-II and the subsequent promotion notionally as per G.O.Ms.No.2 dated 12.03.2007 and G.O.No.173 dated 13.10.2010 with all consequential service and monetary benefits.



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W.P.Nos.20311 & 20312 of 2014

For Petitioner
in both W.Ps : Mr.S.Sivakumar

For Respondents
in both W.Ps. : Mr.M.Bindran
Additional Government Pleader

COMMON ORDER

The relief sought for in these writ petitions is to promote the writ petitioners as Sub-Registrar Grade-II and the subsequent notional promotion as per G.O.Ms.No.2 dated 12.03.2007 and G.O.No.173 dated 13.10.2010.

2.The writ petitions were filed to extend the benefit of two Government Orders which were issued in the year 2007 and 2010 in the year 2014 and there is a lapse of four years in approaching the Court. That apart, even at the time of filing the writ petitions, the petitioners were aged about 67 years and now they would be around 75 years. The relief sought for in these writ petitions is to revise the seniority and grant notional promotion with all consequential benefits. The petitioners seek promotion to the post of Sub-Registrar Grade-II and the said question does not arise at all at this length of time.



W.P.Nos.20311 & 20312 of 2014

3.The learned counsel for the petitioners made a submission that similar benefits were extended to the other retired persons pursuant to the Government Order issued in G.O.No.173 dated 13.10.2010.

4.This Court is of the considered opinion that promotion is to be granted based on the individual service records and furthermore several years lapsed and the writ petition is filed by the writ petitioners at the age of 67 years and now they seek notional promotion. Under these circumstances, the relief as such sought for cannot be granted, however, it is for the petitioner to approach the competent authorities, if they were otherwise eligible.

5.Accordingly, the writ petitions stand disposed of. No costs.

23.06.2022

Internet:Yes
Index : Yes/No
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To

- 1.The Secretary to Government,
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Fort St. George, Chennai – 600 009.
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S.M.SUBRAMANIAM, J.

cse

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