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W.P.Nos.29524 and 29525 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.29524 and 29525 of 2014

P.S.Saraswathy
V.Manoharan

...Petitioner in W.P.No.29524 of 2014
...Petitioner in W.P.No.29525 of 2014

Vs.

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St.George,
Chennai – 09.

2.The Inspector General of Registration,
Santhome,
Chennai – 26.

..Respondents in both W.Ps

Prayer in W.P.No.29524 of 2014 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records in connection with the impugned order passed by the 2nd respondent in No.32795/A5/2011 dated 03.12.2013 and quash the same and further direct the respondents to promote the petitioner as Sub Registrar Grade II as per G.O.Ms.No.2 dated 12.03.2007 and G.O.173 dated 13.10.2010 with all consequential service and monetary benefits and grant such other further relief.

Prayer in W.P.No.29525 of 2014 : Writ Petition filed Under Article 226 of



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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.173 dated 13.10.2010 with all consequential service and monetary benefits and grant such other further relief.

For Petitioners	: Mr.Hemanath For M/s.S.Sivakumar [in both W.Ps]
For Respondents [For R1 & R2]	: Mr.A.M.Ayyadurai Government Advocate [in both W.Ps]

COMMON ORDER

The relief sought for in the present 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



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about 72 years and 62 years respectively and now they would be around 80 years and 70 years respectively. 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.

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 72 years and 62 years respectively and now they seek notional promotion. Under these circumstances, the relief as such sought for cannot be granted. However, it is for the petitioners to approach the competent authorities, if they were otherwise eligible.



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

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Index : Yes
Speaking order: Yes
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To

1. The Secretary to Government,
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S.M.SUBRAMANIAM, J.



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