



WEB COPY



W.P. No.28236 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.28236 of 2022

R. Radha

... Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai – 600 009.

2. The Commissioner of Revenue Administration,
Chepauk,
Chennai – 5.

3. The District Collector,
Nagapattinam District.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to notionally promote the petitioner as Deputy Tahsildhar in the panel for the year 2009 of Nagapattinam District based on the proposal sent by the District Collector, Nagapattinam District dated 23.08.2020 on the basis of the orders passed by this Court in W.P. No.45612 of 2006, dated 01.02.10 with monetary benefits in all respects.

For petitioner : Mr.Venkataramani,
Senior counsel
for Mr.M.Muthappan

For respondents : Mr.N. Naveenkumar,
Government Advocate



W.P. No.28236 of 2022

ORDER

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

2. Mr.N. Naveenkumar, learned Government Advocate accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to notionally promote the petitioner as Deputy Tahsildar in the panel for the year 2009-10 for Nagapattinam District based on the proposal sent by the 3rd respondent, dated 23.08.2020 based on his representations within a time frame to be fixed by this Court.

4. According to the petitioner, he is eligible for promotion as a Deputy Tahsildar notionally for the year 2009-2010. He has filed various documents / orders along with this writ petition to substantiate his claim. He has also enclosed the various representations given by him earlier to the respondents for the said purpose. Since the representations have not been considered till date, he has filed this writ petition.

5. Heard Mr.Venkataramani, learned Senior counsel for the petitioner and Mr.N.Naveenkumar, learned Government Advocate for the respondents.



W.P. No.28236 of 2022

6. At the outset, the learned Government Advocate appearing for the respondents would submit that by the proceedings of the 3rd respondent, dated 23.08.2020, the petitioner has been informed about the requirements that will have to be satisfied by the petitioner for getting promotion as a Deputy Tahsildar for the year 2009-10.

7. However, the learned Senior counsel for the petitioner would submit that the conditions imposed under the 3rd respondent's Proceedings dated 23.08.2020 have been relaxed and therefore, there is no necessity for the petitioner to comply with the same.

8. This Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's representations seeking for notional promotion as Deputy Tahsildar in the year 2009-2010 is considered on merits and in accordance with law and while considering the same, the respondents can consider whether the conditions imposed under the proceedings of the 3rd respondent, dated 23.08.2020 can be relaxed or not.

9. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondents requesting them to notionally promote him as a Deputy Tahsildar in the panel for the year 2009-10, Nagapattinam District, within a period of two weeks from the



W.P. No.28236 of 2022

date of receipt of a copy of this order. On receipt of the said representation the 1st respondent shall pass final orders on merits and in accordance with law based on the proposal sent by the 3rd respondent, within a period of twelve weeks, thereafter.

10. With the aforesaid direction, this writ petition is disposed of.

No costs.

26.10.2022

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

To :

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai – 600 009.

2. The Commissioner of Revenue Administration,
Chepauk,
Chennai – 5.

3. The District Collector,
Nagapattinam District.



WEB COPY



W.P. No.28236 of 2022

ABDUL QUDDHOSE, J.

vsi2

W.P. No.28236 of 2022

26.10.2022