

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10987 of 2017
and
W.M.P. No. 11958 of 2017

R.Jayaram

... Petitioner

-vs-

1. The Government of Tamil Nadu,
Represented by its Secretary,
Commercial Tax and Registration
Department, Fort St.George,
Chennai - 9.
 2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk. Chennai - 5.
 3. The Joint Commissioner of Commercial
Taxes, Coimbatore Division, CTO Complex,
Coimbatore - 641 018.
 4. The Assistant Commissioner of Commercial Taxes,
Velandipalayam circle, CTO Complex,
Coimbatore - 18.
- ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to promote the Petitioner as Assistant with effect from the date on which his immediate junior A.Ganesan was promoted as Assistant as per his seniority/rank assigned to him in the approved list of Assistants for 2012 with all consequential benefits and direct the Second Respondent to include his name in the panel for appointment by transfer to the post of Deputy Commercial Tax Officer, in between serial numbers 184 and 185 in the annexure to the order dated 13.01.2017 in Proc. No. P2/2133/2016 and to appoint him as Deputy Commercial Tax Officer based on the said seniority, from 18.01.2017, the date on which A.Ganesan who is his junior and whose name is shown at serial number 185 has been appointed as DCTO, with all monetary and other consequential benefits, awards costs.

For Petitioner : Mr. R.Krishnaswamy

For Respondents : Mr. C.Harsha Raj,
Additional Government Pleader

O R D E R

Heard Mr.R.Krishnaswamy, Learned Counsel for the Petitioner and Mr. C.Harsha Raj, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2.The Writ Petition has been filed for directing the Respondents to promote the Petitioner to the post of Assistant with effect from the date on which his immediate junior A.Ganesan was promoted to the post of Assistant as per the seniority/rank assigned to him in the approved list of Assistants for 2012 with all consequential benefits and to consequently direct the Second Respondent to include his name in the panel for appointment by transfer to the post of Deputy Commercial Tax Officer in between serial numbers 184 and 185 in the annexure to the order in Proc. No. P2/2133/2016 dated 13.01.2017 and to appoint him as Deputy Commercial Tax Officer based on the said seniority from 18.01.2017, when the said A.Ganesan, who is his junior and whose name is shown at serial number 185, has been appointed as Deputy Commercial Tax Officer with all monetary and other consequential benefits and to award costs.

3.Learned Counsel for the Petitioner states that after the filing of the Writ Petition, the Government of Tamil Nadu has issued G.O. (D). No. 234, Commercial Taxes and Registration (A2) Department dated 20.11.2019 granting the relief sought by the Petitioner and in view of the same, nothing remains for further consideration and he has made an endorsement to that effect in the court record.

4.In fine, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
The Government of Tamil Nadu,
Commercial Tax and Registration
Department, Fort St.George,
Chennai - 9.

2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk. Chennai - 5.
3. The Joint Commissioner of Commercial Taxes,
Coimbatore Division, CTO Complex,
Coimbatore - 641 018.
4. The Assistant Commissioner of Commercial Taxes,
Velandipalayam circle, CTO Complex,
Coimbatore - 18.

+1cc to the Special Government Pleader(Taxes), S.R.No. 41559

W.P. No. 10987 of 2017

SKM(CO)
GN(13/07/2022)