



WEB COPY



W.P. No.31705 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.31705 of 2022

and

W.M.P. No.31147 of 2022

A. Senthur Pandiyan

...Petitioner

VS.

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

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to draw the promotion panel to the post of Assistant Inspector General for the year 2022 to 2023 including the name of petitioner as per the judgments reported in 2021 5 MLJ 97 and 2021 SCC Online Mad 9672 and in view of G.O. (2D) No.36, Revenue and Disaster Management Department Services wing, Service I Section, dated 14.03.2022 and in view of Section 7(1) of the Tamil Nadu Government Servant (Condition of Service Act 2016) and give promotion to the petitioner as per the panel drawn to the post of Assistant Inspector General of registration without reference to any subsequent proceedings after the crucial date i.e., 31.03.2022.

For petitioner	: Mr.M. Muruganantham
For respondent	: Mr.K. Tippu Sulthan, Government Advocate



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ORDER

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

2. Mr. K. Tippu Sulthan, learned Government Advocate accepts notice for the respondent.

3. The petitioner apprehends that his name will not be included in the promotion panel for the post of Assistant Inspector General for the year 2022-2023. In such circumstances, he has given a representation on 17.11.2022 seeking to include his name in the proposed promotion panel. The petitioner is presently working as Assistant Registrar, Kanchipuram.

4. The petitioner also relies upon the judgments of this Court reported in 2021 5 MLJ 97 and 2021 SCC Online Mad 9672 and he also relies upon G.O. (2D) No.36, Revenue and Disaster Management Department Services wing, Service I Section, dated 14.03.2022 to substantiate his case.

5. Heard Mr.M.Muruganantham, learned counsel for the petitioner



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and Mr.K.Tippu Sulthan, learned Government Advocate for the respondent.

6. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra seeking for inclusion of his name in the proposed promotion panel to the post of Assistant Inspector General for the year 2022-2023 is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the respondent to pass final orders on merits and in accordance with law on the petitioner's representation, dated 17.11.2022 requesting for inclusion of his name in the promotion panel to the post of Assistant Inspector General for the year 2022-2023, within a period of twelve weeks from the date of receipt of a copy of this order.

8. The petitioner is directed to enclose the copies of the judgments referred to supra and G.O. (2D) No.36, Revenue and Disaster Management Department Services wing, Service I Section, dated



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14.03.2022, which the petitioner relies upon, to the respondent, to enable them to consider the same while passing final orders.

9. With the aforesaid directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.11.2022

Note : Issue order copy on 29.11.2022

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

To
The Secretary of Government,
Commercial Taxes and Registration Department,
St. George Fort,
Secretariat,
Chennai – 600 009.



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ABDUL QUDDHOSE, J.

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