



W.P. No.33344 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 12.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.33344 of 2022

B.Dharmaraj

... Petitioner

VS.

1. The Government of Tamil Nadu,
Rep. by Principal Secretary to Government
Revenue Department,
Secretariat,
Chennai - 600 009.

2. The Additional Chief Secretary &
Commissioner of Revenue Administration
Disaster Management and Mitigation Department,
Chepauk,
Chennai - 600 005.

3. The District Collector,
Dharmapuri District.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner representation dated 21.10.2022 to include the petitioner's name on par with his immediate juniors in the panel for promotion to the post of Deputy Collectors for the year 2017-2018 and also grant him all consequential service and monetary benefits.



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For petitioner
For respondents

: Mr.Krishnasamy Chinnasamy
: Mr.E.Sundaram,
Government Advocate.

ORDER

The grievance of the petitioner in this writ petition is that he ought to have been included in the promotion panel for the post of Deputy Collector for the year 2017-2018. He was not included in the said promotion panel in view of the fact that disciplinary proceedings were initiated against him and a criminal case was also pending.

2. The petitioner now contends that disciplinary proceedings initiated against him has now been dropped and the criminal case has also ended in acquittal. Therefore, according to him, there is no prohibition for the respondents now to include his name in the promotion panel for the post of Deputy Collector for the year 2017-2018. The petitioner has given a representation on 21.10.2022 for the said purpose. Since the representation has not been considered, till date, he has filed this writ petition.

3. Heard Mr.Krishnasamy Chinnasamy, learned counsel for the petitioner and Mr.E.Sundaram, learned Government Advocate for the respondents.



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4. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Since the representation given by the petitioner earlier on 21.10.2022 is not acknowledged by the respondents, the petitioner will have to give a fresh representation.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the 1st respondent to include his name in the promotion panel for the post of Deputy Collector for the year 2017-2018, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 1st respondent is directed to pass final orders on merits and in accordance with law, within a period of eight weeks thereafter.

7. With the aforesaid directions, this writ petition is disposed of.
No costs.

12.12.2022

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



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ABDUL QUDDHOSE, J.

vsi2

To

1. The Government of Tamil Nadu,
Rep. by Principal Secretary to Government
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Chennai - 600 009.

2. The Additional Chief Secretary &
Commissioner of Revenue Administration
Disaster Management and Mitigation Department,
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