



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.7255 of 2020

&

WMP (MD)Nos.6690, 6692 & 7132 of 2020

M.Karthikeyan

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District at Nagercoil.
2. The District Revenue Officer,
Kanyakumari District at Nagercoil.
3. The Revenue Divisional Officer,
Thucklai Division,
Ramanathapuram,
Kanyakumari District.
4. The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st Respondent in A3/11411/2019 dated 08.01.2020 and quash the same and consequently direct the 1st Respondent to promote the Petitioner as Village Administrative Officer in any one of the existing vacancies in Vilavancode Taluk, Kanyakumari District in the light of the G.O.Ms.No.570 Revenue Department dated 26.12.2014.

For Petitioner : Mr.F.Deepak
For Respondents : Mr.AK.Manickkam
Special Government Pleader
for R1 to R4

ORDER

The intimation letter dated 08.01.2020 stating that the departmental disciplinary proceedings are pending against the writ petitioner is under challenge in the present writ petition.



2.The petitioner was appointed as Village Watchman on 18.06.1987 and the said post was subsequently converted as Village Assistant. The petitioner states that he is fully qualified to the post of Village Administrative Officer. The petitioner's name was included in the panel for promotion to the post of Village Administrative Officer. However, promotion was deferred on account of the fact that disciplinary proceedings were pending against the petitioner. The intimation letter which is impugned dated 08.01.2020 reveals that the disciplinary proceedings is pending before the CDP Office, Nagercoil, as per Government Lr.(1D) No.280, Revenue and Disaster Management Dept., dated 23.06.2018.

3.This Court is of the considered opinion that the departmental disciplinary proceedings initiated are to be concluded as expeditiously as possible, in view of the fact that long pendency of the disciplinary proceedings would cause prejudiced to the promotional opportunities of the Government employee.

4.In the present case, the name of the writ petitioner was included in the panel. However, it is deferred, on account of the fact that the departmental disciplinary proceedings are pending. Thus, the respondents are directed to conclude the departmental disciplinary proceedings as early as possible and thereafter, consider the name of the writ petitioner, if he is otherwise found eligible for promotion, after the administrative decision is taken to fill-up the promotional post.

5.With these directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ns

To

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The District Revenue Officer,
Kanyakumari District

at Nagercoil.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The Revenue Divisional Officer,
Thucklai Division,
Ramanathapuram,
Kanyakumari District.

4. The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

+2 CC to M/s.F.DEEPAK, Advocate (SR-19910 & 19552[F] dated 20/04/2022)

+1 CC to M/s.SPL.GP. (SR-19758[F] dated 20/04/2022)

W.P.(MD)No.7255 of 2020 &
WMP(MD)Nos.6690, 6692 & 7132 of 2020

19.04.2022

USK/06.05.2022/3P/8C