



W.P(MD)No.21024 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21024 of 2022

and

W.M.P.(MD)No.15264 of 2022

1.T.Meenakshi Sundaram

2.G.Senthilkumar

3.M.Abdul Jabbar

4.N.Saravanan

5.Lalitha

6.G.Velambal

7.JR.Sathya Bahma

8.SK.Vasumathy

9.C.Shanthi

10.M.V.Amarnath

11.TS.Prema

12.L.Justin Fernando

... Petitioners

Vs

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Revenue and Disaster Management,
Department Service Wing (Ser.3(2)) Section,
Fort St.George,
Chennai – 600 009.



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2.The Principal Secretary /
Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from revering the petitioners from their respective posts till the pending disposal of the appeals dated 05.03.2022, 07.03.2022 and 26.08.2022 on the file of the 2nd respondent.

For Petitioners : Mr.Aayiuram K.Selvakumar.

For Respondents : Mr.R.Suresh Kumar,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioners are presently working as Tahsildars/Deputy Tahsildars.

Following the order passed by the Hon'ble Supreme Court in the case of



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A.Rajagopalan and Others Vs. The District Collector, Tiruchirapalli District

and Other reported in ***(2019) 5 SCC 560***, fresh panels have been prepared. The petitioners have questioned the preparation of said panel by filing an appeal before the second respondent. The petitioners want protection against reversion in the meanwhile. The Hon'ble Supreme Court in the decision reported in ***AIR 1952 SC 12 (State of Orissa Vs. Madan Gopal Rungta)*** had held that final order passed under Article 226 of the Constitution of India cannot be in the nature of interim order. Therefore, the relief sought for by the petitioners cannot be granted. At the same time, considering the special facts and circumstances of the case, I permit the petitioners to file an interim application before the appellate authority/Commissioner of Revenue Administration, Chepauk, Chennai. The learned counsel for the petitioners states that such an application will be positively filed on 12.09.2022. The second respondent is directed to dispose of the said interim application on merits and in accordance with law within a period of two weeks thereafter. Till the disposal of the said interim application, the petitioners shall not be reverted from their respective posts. The benefit of this order will stand automatically vacated, if the petitioners do not file interim application before the second respondent on 12.09.2022.



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3.The writ petition is disposed of with the aforesaid direction. No costs.

Consequently, connected miscellaneous petition is closed.

07.09.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 08.09.2022

To:

- 1.The Principal Secretary,
Revenue and Disaster Management,
Department Service Wing (Ser.3(2)) Section,
Fort St.George,
Chennai – 600 009.
- 2.The Principal Secretary / Commissioner of Revenue,
Administration, Chepauk, Chennai 600 005.
- 3.The District Collector,
Ramanathapuram District,
Ramanathapuram.



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G.R.SWAMINATHAN, J.

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