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W.P.No.10919 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.10919 of 2012

R.Sivakumar

... Petitioner

Vs.

The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai – 9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to consider the representation of the petitioner dated 03.02.2012 for promotion as Deputy Collector for the panel year 2011-12 within a reasonable time.

For Petitioner : Mr.N.Muthappan

For Respondents : Mr.T.M.Rajangam
Government Advocate

ORDER

This writ petition has been filed to direct the respondent to consider the representation of the petitioner dated 03.02.2012 for promotion as Deputy Collector for the panel year 2011-12 within a



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reasonable time.

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2. Heard the learned counsel appearing on either side and perused the material placed before this Court.

3. The petitioner had entered into service as Typist in the Revenue Department on 04.09.1979. Thereafter, he was promoted to the post of Junior Assistant in the year 1984. He was further promoted as Assistant in the year 1995 and Deputy Tahsildhar in the year 1996. He was attained sufficient seniority and merits for consideration of his claim for promotion as Deputy Collector for the panel year 2004-05. The crucial date for the preparation of the panel is 31st December of every year. The panel for the year 2004-2005 was published in the year 2006. However, the petitioner's name was not included, on the ground of pending disciplinary proceedings. Subsequently, it was ended in punishment of stoppage of increment for a period of one year without cumulative effect by the proceeding dated 22.03.2006.



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4. Subsequently, again the petitioner was charged for the other charges and once again imposed punishment of stoppage of increment for a period of one year with cumulative effect by an order dated 28.03.2010. Therefore, the petitioner was not included in the panel for the promotion to the post of Deputy Collector for the year 2011-12. Hence, the request made by the petitioner cannot be considered and the prayer sought for in this writ petition is devoid of merits and liable to be dismissed.

5. Accordingly, the Writ Petition stands dismissed. There shall be no order as to cost.

26.09.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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G.K.ILANTHIRAIYAN. J.

rts

To

The Secretary to Government,
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