



WEB COPY



W.P. No.708 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.708 of 2023

K. Gunasekaran

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Petitioner

VS.

1. The Principal Secretary to Government,
Revenue and Disaster Management Department,
Fort. St. George,
Chennai - 600 009.

2. The Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and Disaster
Management,
Chepauk,
Chennai - 600 005.

3. The District Collector,
Coimbatore District,
Coimbatore.

..

Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus, directing the 1st respondent to forthwith
consider the representation of the petitioner dated 12.07.2022.

For Petitioner	:	Mr.P. Saravana Sowmiyan
For Respondents	:	Ms.E. Indumathi, Government Advocate.



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ORDER

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By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Ms.E. Indumathi, learned Government Advocate accepts notice for the respondents.

3. The grievance of the petitioner in this writ petition is that though he had possessed all the requisite qualifications, such as completion of training, departmental test etc. and did not suffer any disqualification of punishment, he was still not promoted as a Senior/ Assistant Revenue Inspector and thereafter to the post of Deputy Tahsildar. According to him, he ought to have been promoted as Senior Revenue Inspector in the year 2011 and in the year 2015 he ought to have been promoted as Deputy Tahsildar. The petitioner has already retired from service in the year 2017. The petitioner seeks for notional promotion to the aforementioned posts. The petitioner has given a representation on 12.07.2022 for the said purpose. Since the representation has not been considered, till date, he has filed this writ petition.

4. Heard Mr.P.Saravana Sowmiyan, learned counsel for the



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petitioners and Ms. E. Indumathi, learned Government Advocate for the respondents.

5. At the outset, the learned Government Advocate appearing for the respondents would submit that the writ petition is not maintainable on the ground of laches, since the petitioner retired from service as early as in the year 2017 itself.

6. This Court is not expressing any opinion on the merits of the petitioner's representation as stated supra.

7. However, this Court is of the considered view that 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.

8. For the foregoing reasons, this Court directs the 1st respondent to pass final orders on merits and in accordance with law on the petitioner's representation, dated 12.07.2022 seeking for notional promotion to the post of Senior /Assistant Revenue Inspector in the year 2011 and to the post of Deputy Tahsildar in the year 2015, within a period of twelve weeks from the date of receipt of a copy of this order.



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No costs.

10.01.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral citation case : Yes / No
vsi2

To :

1. The Principal Secretary to Government,
Revenue and Disaster Management Department,
Fort. St. George,
Chennai - 600 009.

2. The Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and Disaster
Management,
Chepauk,
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ABDUL QUDDHOSE, J.

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