



WEB COPY



W.P.No.1279 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.1279 of 2020

V.Jayavelu

... Petitioner

Vs.

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

2.The Director of Survey & Settlement,
Chepauk,
Chennai – 5.

3.The Assistant Director of Survey,
Kancheepuram District,
Kancheepuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to pass orders on the representation made by the petitioner dated 02.08.2019 for revision of seniority in the cadre of Sub-Inspector of Survey notionally for the purpose of further promotion to the post of Deputy Inspector of Survey notionally and grant him all consequential service and monetary benefits



including pensionary benefits within a reasonable time and grant such other further relief.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.M.shahjahan,
Special Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the respondents to pass orders on the representation made by the petitioner dated 02.08.2019 for revision of seniority in the cadre of Sub-Inspector of Survey notionally for the purpose of further promotion to the post of Deputy Inspector of Survey notionally and grant him all consequential service and monetary benefits including pensionary benefits within a reasonable time and grant such other further relief.

2. The case of the petitioner is that the petitioner viz., V.Jayavelu has entered the service in the Survey Department as Field Assistant at Chennai on 03.05.1977 and later promoted as Field Surveyor in the year 1986 and further promoted as Maintenance Firka Surveyor. Subsequently, he was promoted as



Sub-Inspector of Survey under the control of third respondent on 24.11.1998.

This being so, the petitioner was denied promotion as Deputy Inspector of Survey and as Inspector of Survey, however his juniors were given promotion as Deputy Inspector of Survey and Inspector of Survey. Subsequently, he got superannuated from service on 30.06.2013. Though several representation have been given before the first respondent, no orders have been passed. Therefore, the petitioner finally submitted his another representation dated 02.08.2019 and requested to consider his claim for promotion as Deputy Inspector of Survey and further promotion as Inspector of Survey, since the representation being made, no orders have been passed by the respondents. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 02.08.2019, if not considered earlier and pass appropriate orders on merits, within a particular time frame to be fixed by this Court.



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4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 02.08.2019, if not considered till date and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above observation and direction. No costs.

05.07.2023

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Speaking Order : Yes/No

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To:

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J.SATHYA NARAYANA PRASAD,J.

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