



W.P.No.27026 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

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

W.P.No.27026 of 2011

G.Sundararajan

... Petitioner

-Vs-

1. The Principal Secretary and Commissioner
of Revenue Administration,
Chennai-600 005.

2. The Collector,
Kancheepuram, Kancheepuram District. ... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 24.06.2011 praying for inclusion of his name in the panel for promotion to the post of Deputy Tahsildar for year 2006 at the appropriate place with reference to his seniority and promote him as Deputy Tahsildar on par with his junior Mrs.C.V.Aruna and grant all consequential benefits to the petitioner.

For Petitioner : Mr.P.Manoj Kumar
For Respondents : Mr.K.H.Ravikumar
Government Advocate



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ORDER

This writ petition has been filed for the issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 24.06.2011 praying for inclusion of his name in the panel for promotion to the post of Deputy Tahsildar for year 2006 at the appropriate place with reference to his seniority and promote him as Deputy Tahsildar on par with his junior Mrs.C.V.Aruna and grant all consequential benefits to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

3. The petitioner was working as an Assistant at the Taluk Office, Alandur, Chennai. He came within the zone of consideration for promotion to the post of Deputy Tahsildar in the year 2006 as per his seniority and qualification. However, his name was not included on the ground that he was facing disciplinary proceedings pursuant to the charge memo issued by the Managing Director, Tamil Nadu State



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Marketing Corporation Limited, Chennai dated 15.12.2003 under Rule

17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

Though the charges were framed under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, he was not found guilty for major misconduct and he was imposed minor penalty of stoppage of increment for three months without cumulative effect. Even thereafter, the petitioner's name was not included in the panel for promotion to the post of Deputy Tahsildar in the year 2006. In fact, subsequently he filed an appeal and the said minority penalty was also reduced to that of censure by an order dated 08.03.2012 by the first respondent herein. Therefore, the petitioner submitted a representation to consider his name in the panel for promotion to the post of Deputy Tahsildar in the year 2006.

4. Considering the above facts and circumstances of the case, the first respondent is directed to consider his request to include his name in the panel for promotion to the post of Deputy Tahsildar in the year 2006 on merits and in accordance with law. If the representation dated 24.06.2011 is not available, the petitioner is directed to submit a fresh



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representation to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to dispose of the same, after giving an opportunity of hearing to the petitioner, within a period of six weeks thereafter.

5. With the above directions, this Writ Petition is disposed of. No costs.

17.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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To

1. The Principal Secretary and Commissioner
of Revenue Administration,
Chennai-600 005.
2. The Collector,
Kancheepuram, Kancheepuram District.



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G.K.ILANTHIRAIYAN, J.

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