



W.P.No.28361 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.28361 of 2022
and W.M.P.Nos. 27669 & 27671 of 2022

J.Gajalakshmi

... Petitioner

Versus

1.The Additional Chief Secretary/Commissioner
of Revenue Administration
Ezhilagam, Chennai

2.The District Collector
Cuddalore

3.The Special Deputy Collector
Revenue Court, Cuddalore

4.The District Revenue Officer
District Revenue Office, Cuddalore

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the 2nd respondent dated 15.10.2022 made in Na.Ka.A2-9988-2022 and quash the same and consequently direct the 2nd respondent to grant promotion to the petitioner in the cadre of Deputy Tahsildar from 01.11.2019 as granted to one Mrs.Rajammal vide Proceedings of the office of the 1st respondent in Che.Mu.No.A.Na.1(1)/1781/2019-2 dated 01.11.2019.



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For Petitioner : Mr.Dhalapathy Vignesh Kumar

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the proceedings of the 2nd respondent dated 15.10.2022 made in Na.Ka.A2-9988-2022 and consequently direct the 2nd respondent to grant promotion to the petitioner in the cadre of Deputy Tahsildar from 01.11.2019 as granted to one Mrs.Rajammal vide Proceedings of the office of the 1st respondent in Che.Mu.No.A.Na.1(1)/1781/2019-2 dated 01.11.2019.

2. The petitioner was originally appointed as Junior Assistant under the first respondent on 28.05.2009, whereas, one Rajammal joined as Junior Assistant in the Revenue Department on 10.06.2009 and posted at Cuddalore. Thereafter, the petitioner was mutually transferred to the Revenue Department and the petitioner was promoted as Deputy Tahsildar. Thereafter, in pursuant to the judgment of the Hon'ble Apex Court in Civil Appeal Nos. 251-256 of 2015 dated 12.03.2019, the petitioner's seniority position has been changed and she was reverted to the post of Special



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Revenue Inspector, Excise Check Post, Cuddalore as per the directions of the Hon'ble Apex Court. Challenging the same, this writ petition has been filed.

3. The learned counsel for the petitioner fairly submitted that though the challenge has been made for reversion of the petitioner's position, now, he is restricting his prayer only with regard to considering the petitioner's representation dated 28.09.2022 to fix the seniority in the place where she has been transferred.

4. Since, the petitioner herself has not challenged the reversion as the same has happened due to the Judgment of the Hon'ble Supreme Court. This Court is also of the view that such reduction in the grade position cannot be challenged. At any event, the petitioner herself is not challenging the same.

5. Such view of the matter, the respondents shall now consider the representation of the petitioner dated 28.09.2022 and fix the seniority in the place where she has been posted. A communication dated 22.04.2013 from



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the Commissionerate of Revenue Administration Office to the District Collector, Cuddalore also makes it clear that the Service Register of the Gajalakshmi/petitioner has not been sent in time.

6. Such view of the matter, this Court directs the respondent to fix the seniority of the petitioner considering the petitioner's representation dated 28.09.2022 within a period of one month from the date of receipt of a copy of this Order.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.08.2023

dhk
Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No



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N.SATHISH KUMAR, J.



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