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W.P.No.28389 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.No.28389 of 2023

V.Suganthi

... Petitioner

Vs.

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

2. The District Collector,
Cuddalore District,
Cuddalore

3. The District Collector,
Thiruvannamalai District
Thiruvannamalai

4. The Revenue Divisional Officer,
Chidambaram, Cuddalore District

5. The Revenue Divisional Officer,
Cheyyar, Thiruvannamalai District

6. The Tahsildar,
Chidambaram Taluk,
Cuddalore District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus directing the 2nd respondent to declare the
petitioner's probation based on the proposal sent by the 4th respondent
dated 20.10.2022 within a reasonable time.



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For Petitioner : Mr. S.Sivakumar

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

Seeking for an issuance of a Writ of Mandamus directing the 2nd respondent to declare the petitioner's probation based on the proposal sent by the 4th respondent dated 20.10.2022 within a reasonable time, the petitioner has come up with the present Writ Petition.

2. With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.

3. The brief facts of the case is that the petitioner entered into the service as early as in the year 2010 as Village Administrative Officer and also regularised in the year 2012 and she completed the special test in the year 2012 itself, however, her probation has not been declared so far due to the administrative delay in sending for training, thereby the petitioner suffered a lot and the salary and other benefits also not fixed on par with her batchmates. In fact, the probation have already been declared to the persons, who wrote the special test along with the petitioner, whereas the petitioner's probation has not been declared till date. However, the 4th respondent sent a proposal to the 2nd respondent on 20.10.2022 recommending to declare the petitioner's probation on her due date



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namely, 01.06.2012, since the delay in sending training is only on the administrative ground. Further, the 3rd respondent requested the 2nd respondent to relax the rule to declare petitioner's probation from the date of completion of two year service namely 01.06.2012, however, the 2nd respondent has not chosen to declare till date inspite of repeated request of the petitioner, hence this petition.

4. The learned counsel for the petitioner would submit that the petitioner has not committed any mistake and in fact, she completed the special test in the year 2012 itself and she has also completed the remaining training in the year 2021 itself and delay for completion of training is also not on the instance of the petitioner, therefore, approached this Court by way of present Petition, thereby pleaded to allow the present petition.

5. Mrs.V.Yamuna Devi, learned Special Government Pleader takes notice for the respondents and submits that the proposal has been sent to the Additional Chief Secretary to the Revenue Department, Chennai on 05.05.2023 and the same is pending for consideration.

6. Considering the fact that the petitioner has sought to declare her



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probation based on the proposal sent by the 4th respondent dated 20.10.2022 and taking note of the fact that the same is pending from the year 2012 and coupled with the fact that the reasons stated by the Collector for the delay in training is, due to administrative reasons, this Court hereby directs the 2nd respondent to consider the case of the petitioner based on the proposal sent by the 4th respondent and pass appropriate orders within a period of eight weeks from the date of receipt of copy of the order.

In view of the above, the present Writ Petition is allowed. No costs.

04.10.2023

Index:Yes/No
Internet:Yes/No
Speaking / Nonspeaking order

ssd

To

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

2. The District Collector,
Cuddalore District,
Cuddalore

3. The District Collector,
Thiruvannamalai District
Thiruvanamalai

4. The Revenue Divisional Officer,

<https://www.mhc.tn.gov.in/judis>



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Chidambaram,Cuddalore District

5. The Revenue Divisional Officer,
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V.BHAVANI SUBBAROYAN J.

ssd

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