



W.P.(MD)No.11854 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.11854 of 2020

and

W.M.P.(MD)No.10256 of 2020

S.Selvakumar,
Deputy Tahsildar (T.S.O),
Taluk Office East,
Dindigul District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.
2. The Additional Chief Secretary and Commissioner
of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.
3. The District Collector,
Dindigul District,
Dindigul.



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4. P.Pandiyaraj
5. A.Nandagopal
6. C.Krishnamoorthy
7. A.Thangaeswari
8. V.Shanmugam
9. V.Sanjai Gandhi
10. M.Natrayan
11. K.Mani

... Respondents

(R4 to R11 impleaded vide Court order dated 05.02.2021 in W.M.P.(MD)No.11243 of 2020 in W.P.(MD)No.11854 of 2020 by MSRJ)

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from filling up the post of Deputy Tahsildar through recruitment by transfer from the post of Assistant over and above the 18% of the reservation prescribed for Schedule Caste candidates in Dindigul District and consequently to direct the respondents to strictly adhere the reservation of 200 point roster contemplated under Section 27 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

For Petitioner : Mr.H.Mohamed Imran
for M/s.Ajmal Associates

For Respondents : Mr.S.P.Maharajan
Special Govt. Pleader for R1 to R3
Mr.G.Prabhu Rajadurai
for R4 to R11



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ORDER

This Writ Petition has been filed to forbear the respondents from filling up the post of Deputy Tahsildar through recruitment by transfer from the post of Assistant over and above 18% of the reservation prescribed for Schedule Caste candidates in Dindigul District and consequently, direct the respondents to strictly adhere the reservation of 200 point roster contemplated under Section 27 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

2. The case of the petitioner is that the petitioner was initially appointed as Revenue Assistant on 11.01.2013 at Taluk Office, Nilakottai Taluk, Dindigul District and he was promoted as Deputy Tahsildar on 14.07.2020, vide order dated 14.07.2020. As per the panel list of Deputy Tahsildars dated 29.09.2015, the turn of 200 point roster was wrongly followed. The purpose of reservation is only to make the downtrodden people equal to the other people. In fact, the Rule of reservation cannot be given over and above 18% and as such, the third respondent should restrict



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the reservation given to the Schedule Caste People only at the rate of 18%.

In this regard, he made a representation to the respondents on 01.09.2020.

But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the concerned respondent is directed to consider the representation of the petitioner, dated 01.09.2020, on merits and in accordance with law, within a specified period.

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

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the concerned respondent to consider the petitioner's representation, dated 01.09.2020 and pass appropriate orders, on merits and in accordance with



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law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

03.01.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Revenue Department, Secretariat,
Chennai - 600 009.
2. The Additional Chief Secretary and Commissioner
of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
3. The District Collector,
Dindigul District, Dindigul.



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