



W.P.(MD).No.17002 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.17002 of 2023

S.Rajaguru

... Petitioner

Vs.

**1.The Director,
Land Survey and Settlement,
Chepauk,
Chennai-600 005.**

**2.The Assistant Director,
Land Survey and Records,
Sivagangai.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent consider the appeal filed by the petitioner, dated 22.12.2022 as against the proceeding, dated 16.12.2022 in Na.Ka.No.K2/21156/2022(1) Land Survey and dispose the same within a specified time as may be fixed by this Court.

For Petitioner : Mr.A.Mohan

**For Respondents : Mr.N.Muthuvijayan
Special Government Pleader**



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ORDER

The present writ petition has been filed seeking direction to the first respondent to consider the appeal filed by the petitioner, dated 22.12.2022 as against the proceeding, dated 16.12.2022 in Na.Ka.No.K2/21156/2022(1) Land Survey.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's father worked as Sub Inspector of survey in the second respondent Department and he died while he was in service. Thereafter, the petitioner applied for compassionate appointment and his application was considered and he was appointed as a surveyor on 29.11.2012. Subsequently, he was promoted as Firka Surveyor and Sub Inspector of Survey on 02.07.2015 and 15.05.2017 respectively.

4. The next promotional avenue for the petitioner is the Deputy Inspector of Survey. Seniority list for the said post was prepared on 12.03.2018 by the



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Assistant Director, Land Survey and Records, Sivagangai. In the said seniority list, the petitioner's claim was included in serial No.6. For the promotion to the post of Deputy Inspector of Survey, the candidates must complete practical test held by the Department. The Assistant Director conducted the said examination in so far as 6 persons including the petitioner. However, his service was regularised only on 16.05.2017 in the post of Sub Inspector of Land Survey. Therefore, his name was not included in the seniority list for the year 2019-2020.

5. The second respondent issued the seniority list for the post of Sub Inspector of Land Survey for the year 2022 on 07.01.2022. In the said list, the petitioner's name was rightly placed. However, while issuing the selection list to the said post, the petitioner's name was not included. For which, no reason was assigned in the said selection list. Therefore, the petitioner availed an appeal remedy by submitting a petition to the first respondent on 22.12.2022. There was no response for the same from the first respondent and hence, this writ petition came to be filed.



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6. Heard the learned Counsel for the petitioner and the learned Special Government Pleader for the respondents and carefully perused the materials available on record.

7. In view of the fact that the petitioner's appeal, dated 22.12.2022 was not considered, this Court is inclined to direct the first respondent to consider the appeal filed by the petitioner on 22.12.2022 as against the proceedings, dated 16.12.2022 in the Land Survey Department and dispose of the same within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. With the above said observation, this writ petition stands disposed of. There shall be no order as to costs.

14.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
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L.VICTORIA GOWRI, J.

BTR

To

1.The Director,
Land Survey and Settlement,
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Chennai-600 005.

2.The Assistant Director,
Land Survey and Records,
Sivagangai.

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