



W.P.(MD).No.21158 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21158 of 2022

and

W.M.P(MD)No.15360 of 2022

R.Rajendran

... Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Revenue Department,
Chepauk,
Chennai.

2.The District Collector,
Dindigul District,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to promote the petitioner notionally as Deputy Tahsildar on par with his junior within the time that may be stipulated by this Court.

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

For Respondents : Mr.P.Thambi Durai
Government Advocate



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ORDER

The present writ petition has been filed seeking direction to the respondents to promote the petitioner notionally as Deputy Tahsildar on par with his junior within the time that may be stipulated by this Court.

2. The petitioner is working as a Revenue Assistant in the Revenue Divisional Office. A family problem which arose in his family with his wife culminated in registering various criminal cases. The petitioner was placed under suspension under Rule 17 (e) of Tamil Nadu Civil Services (Discipline and Appeal) Rules on 14.06.2015 by an order, dated 17.06.2015. Thereafter, the suspension was revoked and he was reinstated in the year 2015. While so, the petitioner was acquitted in C.C.No.352 of 2015 on the file of the Judicial Magistrate Court at Pazhani on 23.03.2017. Simultaneously, he was also exonerated from all the disciplinary proceedings whatever have been initiated as against him. As far as another criminal case which has been registered as against him was quashed by this Court vide order, dated 09.01.2020 on compromise.



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3. In view of the said facts, the petitioner is entitled to be promoted notionally as Deputy Tahsildar on par with his juniors for which he made a representation on 25.11.2015 for inclusion of his name in the promotion panel. In the meanwhile, on the direction of the Hon'ble Apex Court, seniority of Revenue Assistant post was revised. However, the petitioner was not placed in the expected turn no.157 in the revised list of Deputy Tahsildar for Dindigul District for the year 2015 in the revised list, dated 28.02.2022. Since the petitioner is not placed at turn no.157, this writ petition came to be filed.

4. The learned Government Advocate also fairly conceded that among the two criminal cases which were registered as against the petitioner, one entered in acquittal on 23.03.2017 and another case was quashed by this Court vide order, dated 09.01.2020. As far as the disciplinary proceedings are concerned, the petitioner was exonerated.

5. Recording the submissions made by the learned Government Advocate, this Court hereby directs the respondents to promote the petitioner notionally as Deputy Tahsildar on par with his junior by placing him in the Turn No.151 in the revised list of Deputy Tahsildar, Dindigul in the year 2015 within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this Writ Petition stands allowed.

No costs. Consequently, connected Miscellaneous Petition is closed.

14.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

1.The Commissioner of Revenue Administration,
Revenue Department,
Chepauk,
Chennai.

2.The District Collector,
Dindigul District,
Dindigul.



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L.VICTORIA GOWRI, J.

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