



W.P.No.7428 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.7428 of 2021

A.Shanmugam

... Petitioner

/vs/

1. The Principal Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai – 600 009.

2. The Commissioner of Commercial Taxes,
Chepauk,
Chennai – 600 005.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to publish petitioner promotion (now it is only paper promotion) and the pension with monetary benefits attached to the salary as per petitioner various representations in particularly representation dated 04.09.2013 and last reminder letter dated 30.05.2020 and disposes the salary and pension arrears at an earlier date.



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For Petitioner ... Mr.D.Vijayakumar

For Respondents ... Mr.S.Arumugam
Government Advocate for R1

Mrs.K.Vasanthamala
Government Advocate for R2

ORDER

Heard Mr.D.Vijayakumar, the learned counsel for the petitioner,
Mr.S.Arumugam, the learned Government Advocate for R1 and
Mrs.K.Vasanthamala, the learned counsel for R2.

2. The petitioner has filed this Writ Petition directing the respondents to publish his promotion and pension with monetary benefits attached to his salary by considering his representation dated 04.09.2013 and last reminder letter dated 30.05.2020.

3. The petitioner who has been appointed as 'ACTO' in Tamil Nadu Public Service Commission (TNPSC) has got his grievance with regard to various promotion list published for the promotion to the post of 'ACTO' to



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'DCTO', 'DCTO' to 'CTO' and 'CTO' to 'Assistant Commissioner'.

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4. Mr.D.Vijayakumar, the learned counsel for the petitioner, submitted that in the 'DCTO' promotion list the temporary post holders were placed in top seniority; the petitioner challenged the same by way of filing a writ petition but that litigation went up to the Hon'ble Supreme Court; however the Hon'ble Supreme Court has given a direction to publish the promotion list but so far it has not been implemented; the petitioner retired from service on superannuation on 30.05.2005; despite he had sent several representation, the same has not been considered so far.

5. Mr.S.Arumugam, the learned Government Advocate, submitted that the petitioner's representation will be considered in accordance with law and on its own merits.

6. However the learned counsel for the petitioner submitted that it would have been an easy task if the respondents publish the promotion list as directed by the Hon'ble Supreme Court.



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7. It seems this writ petition is consequence to the petitioner's earlier litigation in respect of *inter se* seniority. Whatever claim the petitioner has made depending upon the earlier orders of the Hon'ble Supreme Court, the respondents shall consider the representation of the petitioner in the light of the earlier orders passed and pass an orders accordingly, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed. No costs.

08.03.2024

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To:

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R.N.MANJULA ,J.

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