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W.P.No.24344 of 2010

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 26.09.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P.No.24344 of 2010**

**and**

**M.P.No.02 of 2010**

K.Thangarasu

....Petitioner

Vs

1. The Principal Secretary/  
Commissioner of Revenue  
Administration,  
Disaster Management and  
Litigation Department,  
Ezhilagam, Chepauk,  
Chennai -600 005.

2. The District Collector,  
Namakkal,  
Namakkal District.

....Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus to call for the entire records in pursuant to the proceedings of the 2<sup>nd</sup> respondent vide R.O.C.No.56538/2009/A.2 dated 14.09.2010 and quash the same and direct the respondents to include the petitioner in panel of Deputy Thasildars of Namakkal District for the year 2009.

For Petitioner : Mr.M.Sathish Kumar

For Respondents : Mr.P.Ananda Kumar



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Government Advocate

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### **ORDER**

The Writ Petition has been filed challenging the proceedings of the 2<sup>nd</sup> respondent dated 14.09.2010 and for a consequent direction to include the name of the petitioner in the panel of Deputy Thasildars of Namakkal District for the year 2009.

2. It is the case of the petitioner that he was appointed as Junior Assistant on 29.08.2000 in the Office of the District Collector, Namakkal and subsequently he was promoted to the post of Assistant on 29.04.2005. There was a inter seniority dispute between the promotee Assistants and the directly recruited Assistants. In the meantime, the 1<sup>st</sup> respondent by a proceedings dated 08.01.2010, had invited the names of the Assistants for inclusion of their name in the panel for promotion to the post of Deputy Tahsildar for the year 2009. In compliance to the same, petitioner had submitted his Bio data and other service particulars and the same was forwarded to the 2<sup>nd</sup> respondent on 17.03.2010. The 1<sup>st</sup> respondent by his proceedings dated 14.09.2010 notified the names of the Assistants included in the panel of Deputy Tahsildars of Namakkal for the year 2009, however



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the name of the petitioner was not included and therefore, the petitioner had come up with the present Writ Petition.

3. Mr.M.Sathish Kumar, the learned counsel for the petitioner submitted that he is not able to ascertain the present position.

4.1 Mr.P.Ananda Kumar, the learned Government Advocate by relying on the counter affidavit filed by the respondents submitted that, in view of the orders passed by the Hon'ble Supreme Court of India in Civil Appeal No.9334 to 9336 of 2018 dated 11.09.2018, the Principal Secretary/Commissioner of Revenue Administration, Chennai had sent a circular No.2/2022 regarding the implementation of Section 27(f) of the Tamil Nadu Government Servants ( Conditions of Service) Act, 2016 and instructed to revise the Deputy Tahsildar panels accordingly. As per the instructions, the Deputy Tahsildar panels for the year 2005 to 2018 were revised vide proceedings dated 03.11.2022.

4.2 It is also stated that the Writ Petitioner had been included in the Senior Revenue Inspector panel for the year 2005 of Namakkal Revenue Unit and based on the seniority, he was previously included in the panel of Deputy Tahsildar for the year 2010 vide proceedings of the District



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Collector, Namakkal dated 30.08.2011. As the petitioner was a graduate and belongs to Most Backward Class community, while revising the Deputy Tahsildar panel for the years 2005 to 2018, as per the decisions of the Hon'ble Supreme Court of India, petitioner had been included in the Deputy Tahsildar panel for the year 2010 as per the communal rotation and seniority.

4.3 The relevant paragraph from the counter is extracted hereunder:

*Again, as per the instructions of the Additional Chief Secretary / Commissioner of Revenue Administration, Chennai, the Deputy Tahsildar panels for the years 2005 to 2018 were revised vide the proceedings of the District Collector, Namakkal, in Ro.c. No. 17744 / 2019 (A1), dated: 20.3.2023.*

*In this regard, it is submitted that the Writ petitioner Thiru. K. Thangarasu had been included in the Senior Revenue Inspector panel for the year 2005 of Namakkal Revenue Unit. Based on his seniority, he was previously included in the panel of Deputy Tahsildar for the year 2010, vide the proceedings of the District Collector, Namakkal, in R.o.c. No. 14903/2011 (A2), dated: 30.8.2011. He is a graduate and belongs to Most Backward Class community. Hence, while revising the Deputy Tahsildar panel for the years 2005 to 2018, as per the verdicts of the Hon'ble Supreme Court of India, he has been included in the Deputy Tahsildar panel*



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*for the year 2010, as per his communal rotation and seniority.*

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4.4 Relying on the above averments, the learned Government Advocate submitted that, since already the petitioner had been included in the Deputy Tahsildar panel for the year 2010 and the petitioner was promoted and subsequently got superannuated from service, his grievance has already been addressed and therefore nothing survives for adjudication in this Writ Petition.

5. In view of the submissions made by the learned Government Advocate that the the petitioner had been included in the Deputy Tahsildar panel for the year 2010 as sought for in this Writ Petition, this Court finds that no further adjudication is required in this Writ Petition.

6. Accordingly, recording the same this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**26.09.2024**

Index : Yes/No

Neutral Citation : Yes



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Speaking order : Yes  
Sma

**G.ARUL MURUGAN, J**

Sma

To

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