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W.P.No.3475 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.3475 of 2024

M.Natarajan

... Petitioner

-Vs-

1. The Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and
Disaster Management, Ezhilagam, Chepauk,
Chennai – 600 005.

2. The District Collector,
Thirupathur District,
Thirupathur – 635 601.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent herein to consider and pass necessary orders on the representation dated 03.05.2023 of the petitioner herein, considering the fact that consequent on exoneration from the charges framed against him, the right of promotion and attendant benefits has accrued upon him with retrospective effect, as per Rules, read with the decision of the Hon'ble Apex Court existing therefor, necessitating inclusion of his name with due seniority in the panel for promotion as Deputy Tahsildar for the year 2017, over and above that of his immediate junior and to offer promotion thereon in the said post and for further higher category post of Tahsildar ushering him with all attendant benefits including monetary benefits, on par with his junior, within a time frame limit as fixed by this Hon'ble Court.

For Petitioner : Mr.S.Sathish Rajan



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For Respondents : Mr.K.Tamilvendan
Government Advocate
ORDER

This writ petition has been filed for direction directing the first respondent herein to consider and pass necessary orders on the representation dated 03.05.2023 of the petitioner herein, considering the fact that consequent on exoneration from the charges framed against him, the right of promotion and attendant benefits has accrued upon him with retrospective effect, as per Rules, read with the decision of the Hon'ble Apex Court existing therefor, necessitating inclusion of his name with due seniority in the panel for promotion as Deputy Tahsildar for the year 2017, over and above that of his immediate junior and to offer promotion thereon in the said post and for further higher category post of Tahsildar ushering him with all attendant benefits including monetary benefits, on par with his junior, within a time frame limit as fixed by this Hon'ble Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

3. It is seen that the petitioner submitted representation dated 03.05.2023



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and subsequently, his wife submitted a remainder.

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4. The learned Government Advocate appearing for the respondents would submit that so far, no representation has been received from the petitioner. The petitioner seeks to include his name in the seniority list in the panel for promotion to the post of Deputy Tahsildar for the year 2017, on the ground that he was exonerated from all the charges and as such, he is entitled for promotion and other attendant benefits with retrospective effect as per the rules.

5. In view of the above, the petitioner is directed to submit a fresh representation, within a period of two weeks from today. On receipt of the same, the first respondent is directed to dispose of the same, on merits and in accordance with law, within a period of twelve weeks thereafter.

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.



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Index : Yes/No

Speaking/Non Speaking order
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To

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G.K.ILANTHIRAIYAN. J.

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