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Writ Petition No.11281 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11281 of 2024

K.Murugan

S/o.Kaliyamurthy

... Petitioner

Vs.

1.The State of Tamil Nadu

represented by its

Principal Secretary to Government,

P&AR Department, Secretariat,

Chennai - 600 009.

2.The State of Tamil Nadu,

represented by its

Principal Secretary to Government,

Revenue and Disaster Management Department,

Secretariat, Chennai - 9.

3.The Additional Chief Secretary/

Commissioner of Revenue Administration,

Chepauk, Chennai - 5.

4.The District Collector,

Villupuram District,

Villupuram.

5.The District Revenue Officer,

Villupuram District,

Villupuram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of



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India seeking issuance of a Writ of Mandamus directing the third respondent to dispose of the appeal petition of the petitioner dated 14.02.2023 in the light of the recommendation from the third respondent to the fourth respondent herein vide Lr.No.Ser3[1]/E-01/19010/101/2023 dated 14.03.2023.

For Petitioner : Mr.J.Melwin Jabaz

For Respondents : Mr.P.Anandhakumar
Government Advocate

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the the fourth respondent to dispose of the appeal filed by the petitioner on 14.02.2023 in the light of the recommendation made by the third respondent to the fourth respondent through letter dated 14.03.2023 and pass orders within the time frame fixed by this Court.

2. Heard Mr.J.Melwin Jabaz, learned counsel for petitioner and Mr.P.Anandhakumar, learned Government Advocate appearing for respondents.

3. The case of the petitioner is that he was initially appointed as Revenue Assistant and he was appointed in the office of the fourth



respondent in the year 2012. The petitioner joined in the post of Revenue Assistant, which was subsequently re-designated as Senior Revenue Inspector. Further case of the petitioner is that he was relieved from the post of Revenue Assistant as per the proceedings of the fifth respondent dated 17.12.2012 on condition that the petitioner will retain his lien in the parent department for a period of one year from the date of his relieving order. On the petitioner being relieved from the revenue department, he joined the post of Senior Inspector of Co-operative Societies in the co-operative department on 19.12.2012.

4. The petitioner submitted a representation to rejoin the parent department viz., revenue department in the year 2013. Based on the same, the Registrar of Co-operative Societies issued order dated 03.12.2013 accepting the request made by the petitioner to join the revenue department. The fifth respondent, through proceedings dated 24.10.2013, allowed the petitioner to rejoin in the revenue department.

5. The petitioner joined in the revenue department in the post of Revenue Assistant in the office of the Special Tahsildar, Land



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Acquisition, NH 45A, Villupuram.

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6. The grievance of the petitioner is that in the seniority list prepared by the fifth respondent, the name of the petitioner was included in Sl.No.57 and the next avenue for promotion is to the post of Deputy Tahsildar based on the seniority fixed by the fifth respondent.

7. The petitioner submitted a representation before the third respondent on 14.02.2023 to consider his case in the light of the Government Order issued in respect of eligible persons, who were recruited along with the petitioner. The representation was received and a communication was sent to the fourth respondent *viz.*, District Collector. Since the same was not acted upon, the present writ petition has been filed before this Court.

8. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the District Collector, Villupuram District, to deal with the representation/explanation submitted by the petitioner on 14.02.2023 in the light of the communication made by the third respondent dated



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14.03.2023 and pass final orders on its own merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order.

9. The petitioner is directed to make a fresh representation to the fourth respondent *viz.*, District Collector, Villupuram District, along with the relevant records and a copy of this order. The copy of the representation shall be marked to the third respondent.

This writ petition is disposed of with the above direction. No costs.

26.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Principal Secretary to Government,
P&AR Department, Secretariat,
Chennai - 600 009.



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N.ANAND VENKATESH, J

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- 2.The Principal Secretary to Government,
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- 3.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai - 5.
- 4.The District Collector,
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Villupuram.
- 5.The District Revenue Officer,
Villupuram District,
Villupuram.

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