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Writ Petition No.30027 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.30027 of 2024

P.Manimegalai
W/o.M.K.Raju

... Petitioner

Vs.

1.The Secretary to Government,
Revenue (Service 1) Department,
Fort St.George, Chennai - 600 009.

2.The Special Commissioner,
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3.The District Collector,
District Collectorate Office,
Tiruppur - 641 604.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider and dispose of the representation dated 09.05.2024 made by the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.N.Saravanan

For Respondents : Mr.S.Balamurugan,
Government Advocate



Writ Petition No.30027 of 2024

ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing respondents 1 and 2 to consider the representation made by the petitioner on 09.05.2024 wherein the petitioner has sought for promotion to the post of District Revenue Officer with effect from the year 2019 and to extend the attendant benefits.

2. Heard Mr.N.Saravanan, learned counsel for petitioner and Mr.S.Balamurugan, learned Government Advocate appearing for respondents.

3. The case of the petitioner is that she was initially appointed as a Junior Assistant on compassionate grounds in the office of the District Collector, Coimbatore, in the year 1980. Thereafter, she was promoted to various posts and ultimately, she became a Tahsildar in the year 2003. Even though the petitioner was eligible for being considered for promotion to the post of Deputy Collector, a charge memo came to be issued under Rule 17(b) of the Tamil Nadu Civil Service (Discipline & Appeal) Rules and therefore, the name of the petitioner was not included in the panel.



Writ Petition No.30027 of 2024

4. The petitioner filed W.P.No.116 of 2015 before this Court

and this Court disposed of the writ petition by order dated 25.06.2018.

This Court directed the respondents to include the name of the petitioner in the panel for promotion to the post of Deputy Collector. Aggrieved by this order, the respondents filed an appeal in W.A.No.626 of 2021 and the same was also dismissed by order dated 02.09.2021.

5. In the light of the above orders passed by this Court, the petitioner was promoted as Deputy Collector and she was posted as a Manager of the TADHCO in the cadre of Deputy Collector from 01.06.2022. The petitioner attained superannuation on 30.06.2022.

6. The grievance of the petitioner is that if she had been considered for promotion to the post of Deputy Collector on time, she would have been entitled to be added in panel for promotion to the post of District Revenue Officer in the year 2019. In view of the same, the petitioner made a representation on 09.05.2024 to grant such promotion and to extent the attendant benefits. Since the same was not considered, the present writ petition has been filed before this Court.



Writ Petition No.30027 of 2024

7. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to respondents 1 and 2 to deal with the representation made by the petitioner on 09.05.2024 on its own merits and in accordance with law and a final decision shall be taken within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. The petitioner is directed to submit a fresh representation to respondents 1 and 2 along with all relevant documents and also a copy of this order.

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

17.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To
WEB COPY

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Writ Petition No.30027 of 2024

N.ANAND VENKATESH, J

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