



W.P.(MD).No.6968 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 21.03.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.6968 of 2024**

P.Subramani

...Petitioner

Vs.

1.The State of Tamilnadu,  
Represented by its Principal  
Secretary,  
Commercial Tax & Registration  
Department,  
Secretariat, Fort St.George,  
Chennai-600 009.

2.The Inspector General of Registration,  
Registration Department,  
Santhom High Road,  
Chennai-600 028.

3.The District Registrar,  
Registration Department,  
Palayamkottai,  
Tirunelveli District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India,  
praying this Court to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent



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herein to dispose petitioner's appeal dated 01.03.2022, pending before the 1<sup>st</sup> respondent within the time bound stipulated by this Court.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.S.Shanmugavel,  
Additional Government Pleader

### **ORDER**

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed seeking direction to the 1<sup>st</sup> respondent herein to dispose the petitioner's appeal dated 01.03.2022.

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

(i) The petitioner was appointed as a Senior Clerk in the office of the Sub Registrar, Theni in the year 1983 through employment exchange. He was regularized in the year 1984 and thereafter, promoted as Assistant and transferred to office of the District Registrar, Periyakulam in the year 1994.



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Subsequently, he was promoted as Grade-II Sub Registrar and posted in the office of the No.I Joint Registrar, Dindigul and thereafter, transferred to the office of the Nagal Nagar Sub Registrar of Dindigul District. While so, the 2<sup>nd</sup> respondent prepared a promotion panel to the post of Sub Registrar Grade-II, by fixing seniority vide proceedings, dated 23.06.2011 and the petitioner was placed in serial No.220 for the year 2011-2012. Subsequently, vide proceedings of the 2<sup>nd</sup> respondent dated 17.10.2013, another list of promotion of the Grade II Sub Registrar to the level of Grade I Sub Registrar for the year 2013-2014 was published.

(ii) However, the petitioner was not given promotion to the level of Grade I Sub Registrar and he was retained in the previous level of Grade-II Sub Registrar. The 2<sup>nd</sup> respondent vide proceedings, dated 17.10.2013 contended that since the petitioner was undergoing disciplinary action, the petitioner was not considered for promotion. But in actual terms, the petitioner was not facing any disciplinary proceedings, during the time when the list was published on 17.10.2013. He was visited with a charge memo by the 2<sup>nd</sup> respondent only on 21.10.2013. Even in the subsequent departmental enquiry, the petitioner was



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given a clean chit by the department and subsequently, the petitioner was allowed to retire peacefully from service on 23.03.2020. Later, the petitioner made an appeal to the 2<sup>nd</sup> respondent for including his name in the list of the Grade-I Sub Registrar for the year 2013-2014 and giving him promotion.

(iii) The petitioner's appeal has been taken on the file of 2<sup>nd</sup> respondent for the disposal and the 2<sup>nd</sup> respondent directed the 3<sup>rd</sup> respondent to give opinion in the appeal. The 3<sup>rd</sup> respondent, vide his letter dated 09.12.2019, recommended to the 2<sup>nd</sup> respondent to include his name in the list of Grade-I Sub Registrar and give promotion to the petitioner. However, the 2<sup>nd</sup> respondent without considering the recommendation of the 3<sup>rd</sup> respondent, summarily rejected the petitioner's appeal dated 07.02.2019, by his proceedings dated 01.02.2022. As against the same, the petitioner had preferred a statutory appeal before the 1<sup>st</sup> respondent within the stipulated period of time. However, the same is not considered and disposed so far. In view of the same, this writ petition came to be filed.



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4. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

5. Considering the limited scope of relief sought for by the petitioner herein and considering the fact that the statutory appeal is kept pending for more than two years, this Court hereby direct the 1<sup>st</sup> respondent to dispose of the petitioner's appeal dated 01.03.2022 within a period eight (8) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

**21.03.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml



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To

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**L.VICTORIA GOWRI, J.**

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