



WP(MD) No.8331 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.8331 of 2024
and
WMP(MD)Nos.7547 & 7548 of 2024

R.Shanmuganathan

.. Petitioner

Vs.

1. The Commissioner of Treasuries and Accounts,
Nandanam,
Chennai-35.

2. The Director of School Education,
Directorate of School Education,
Chennai-6.

3. The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st Respondent in R.C.No.CTA/108/2024/A3



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dated 26.02.2024 and quash the same and consequently direct the respondents to draw the panel for the promotion to the post of Assistant Accounts Officer for the year 2022-2023 by including the name of the petitioner within a time as stipulated by this Court.

For Petitioner : Mr.P.Gunasekaran

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The writ petition has been filed for issuance of Writ of Certiorarified Mandamus, to quash the impugned order passed by the 1st respondent in R.C.No.CTA/108/2024/A3 dated 26.02.2024 and consequently to direct the respondents to draw the panel for the promotion to the post of Assistant Accounts Officer for the year 2022-2023 by including the name of the petitioner.

2. Heard Mr.P.Gunasekaran, learned counsel appearing for the petitioner and Mr.M.Sarangan, learned Additional Government Pleader appearing for the respondents.



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3. By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

4. The petitioner claims that he had the qualification for promotion to the post of Assistant Accounts Officer and is eligible to be included in the promotional panel list for the year 2022-2023. One of the qualification to acquire the eligibility to be included in the panel list is a pass in the Accounts Test for Subordinate Officers Part-I and Part-II. The petitioner has passed the Accounts Test in February, 2023. However, the cut-off date for the panel list has been fixed on 15.06.2022. Hence, he seeks indulgence of this Court with regard to fix the cut-off date in February, 2023 instead of 15.06.2022.

5. Mr.Mr.P.Gunasekaran, learned counsel appearing for the petitioner submitted that though the petitioner had applied and he was ready to write the Accounts Test scheduled to be conducted on 18.03.2021, the same got cancelled due to COVID Pandemic and postponed to the year 2023. He further submitted that no Accounts Test has been held in the year 2021 due to COVID Pandemic between the year 2021-2022. Hence, the petitioner is not able to clear the



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Accounts Test paper before February, 2023. So, his limited request is to consider the cut-off date to February, 2023 instead of 15.06.2022.

6. The fact that no Accounts Test was conducted during the Pandemic period cannot be denied. However, Mr.M.Sarangan, learned Additional Government Pleader appearing for the respondents submitted that there are persons who have cleared the Accounts Test as on 15.06.2022 irrespective of the fact that no Accounts Test have been conducted from the year 2021-2022 due to COVID Pandemic. Hence, the petitioner cannot uprightly claim that the cut-off date should be February, 2022.

7. It is prerogative of the Government to fix the cut-off date in accordance with its administrative reasons or convenience. As submitted by the learned counsel for the petitioner, the Accounts Test scheduled to be conducted on 18.03.2021 got cancelled due to COVID Pandemic and postponed to 2023.

8. It is up to the petitioner to give a representation to the respondents in this regard to extend the cut-off date. If such representation is made, the third



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respondent shall consider the Pandemic situation that was existed between the year 2021-2023 and pass appropriate orders.

9. With the above direction, this writ petition is **disposed of**. No Costs.

Consequently, connected miscellaneous petitions are closed.

02.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJL

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