



W.P.(MD)No.16889 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16889 of 2024

K.Jegadeesh

... Petitioner

Vs.

1.The Additional Chief Secretary/Commissioner of
Revenue Administration,
O/o.the Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.

2.The District Collector,
Office of the District Collector,
Sivagangai District.

3.The District Revenue Officer,
Office of the District Revenue Officer,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to include the name of the petitioner in the promotion panel to the post of Deputy Tahsildar for the year 2023 on par with my juniors in the Sivagangai District Revenue Unit from the post of Senior Revenue Assistant by considering the petitioner's representation dated 02.06.2024 within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.S.Shanmugavel

Additional Government Pleader



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ORDER

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Heard Mr.C.Gangai Amaran, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents.

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

3. The petitioner was appointed as a Revenue Assistant on 13.12.2012 and he is now working as Senior Revenue Inspector in Election Section. He was issued with a charge memo and after enquiry an order of punishment of stoppage of increment for a period of one year with cumulative effect was issued. Hence, his name has not been included in the promotion panel to the post of Deputy Tahsildar. Therefore, the petitioner made a representation, dated 02.06.2024 to include his name in the promotion panel. Since the same was not considered, the petitioner has filed this writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders



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in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 02.06.2024 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

25.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

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Office of the District Collector,
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R.N.MANJULA, J.

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