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W.P.No.6272 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.12.2025

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**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**W.P.No. 6272 of 2023**  
**&**  
**W.M.P.No. 6292 of 2023**

K.Balakrishnan

...Petitioner

Vs.

1.The Additional Chief secretary to Government  
Commissioner of Revenue Administration  
Ezhilagam, Chepauk  
Chennai 5

2.The District Collector  
O/o the District Collectorate,  
Namakkal District.

3.The District Revenue officer  
O/o The District Collectorate  
Namakkal District

...Respondents

**Prayer:** Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, call for the records



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relating to the order in Na.Ka. No. 28220 / 2021-4 (A1) dated on 19.11.2022 impugned notice by 2<sup>nd</sup> respondent quash the same as illegal and consequentially directing the respondents to restore the petitioner's name as Deputy Tahsildars in the original panel of Deputy Tahsildars of Namakkal District for the year 2015 in SL. No. 7 and direct the respondents to provide all consequential benefits with further promotion.

For Petitioner : Mr. G.Munuraj

For Respondents : Mr. P.Kumaresan  
Additional Advocate General

Assisted by  
Mrs. S.Anitha  
Special Government Pleader.

## **ORDER**

Though the writ petition has been filed for the above relief, the learned counsel for the petitioner would submit that it would suffice that the respondents are directed to consider the appeal dated



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21.12.2022, filed by the petitioner in line with the order passed by the Hon'ble Supreme Court in Civil Appeal Nos.251 to 256 of 2015, wherein in paragraph No.19, the learned Judges have observed as follows:

*“19. In the result, the impugned judgement of the High Court is set aside and these appeals are allowed with the following observations and directions:-*

*(i) Promotions of the Direct recruit Assistants effected between 07.02.1995 and 08.04.2009 and their seniority in their respective positions as on date, shall not be disturbed;*

*(ii) The benefit extended to the graduate promotee Assistants by placing them on par with Direct recruit Assistants is to be given effect to prospectively from the date of judgment of this Court dated 08.04.2009 rendered in the case of M. Rathinaswami v. State of Tamil Nadu reported in (2009) 5 SCC 625;*



*(iii)After 08.04.2009, the promotion to the post of Deputy Tahsildar from its feeder category, i.e., Direct recruit Assistants and Promotee graduate Assistants, shall be strictly in accordance with the judgment of this Court referred above, i.e., treating Promotee graduate Assistants on par with Direct recruit Assistants. Such promotion shall be given effect to, without reference to any interim order(s) passed by the High Court;*

*(iv)If any panels are prepared, and promotions are given, after 08.04.2009 for promoting the Assistants to the post of Deputy Tahsildars in Tamil Nadu Revenue Subordinate Service contrary to the judgment of this Court dated 08.04.2009, such panels and promotions have to be revised so as to bring in conformity with the judgment of this Court referred above;*

*(v)By virtue of the judgment of this Court dated 08.04.2009, referred above, Promotee graduate Assistants*



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*are placed on par with Direct recruit Assistants. So far as Promotee non-graduate Assistants are concerned, the amended rule holds the field, which gives preferential treatment to Direct recruit Assistants, over Promotee non-graduate Assistants;*

*(vi) Promotee non-graduate Assistants, who are impleaded as party respondents in these appeals, are not entitled to any directions in their favour, as much as, all these appeals are preferred by Direct recruit Assistants;*

*(vii) While implementing the above directions, if the seniority and promotion, of the persons who are already retired or dead, is affected in any manner, payments made on account of such seniority and promotion earlier granted to them during the interregnum period, i.e., from 08.04.2009 till this date shall not be recovered.*



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*(viii) So far as Promotee non-graduate Assistants are concerned, it is open for them to pursue with the Government for appropriate amendment to the Rules, in which event we keep it open to Government to consider such request on its own merits.*

2. This writ petition is disposed of with a direction to the 1<sup>st</sup> respondent to consider the petitioner's appeal and pass orders in the line of the directions issued by the Hon'ble Supreme Court in the aforesaid judgement, by 30.06.2026. Consequently, the connected miscellaneous petition is closed. No costs.

**17.12.2025**

Index : Yes/No  
Internet : Yes/No

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To

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**P.T. ASHA, J**

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