



W.P.No.2877 of 2025

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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.2877 of 2025

J. Jayakumar

...Petitioner

Vs

1. The Principal Secretary to Government,
Revenue Administration and Disaster
Management Department,
Fort. St.George, Secretariat,
Chennai – 600 009.

2. The Additional Chief Secretary,
Revenue Administration and
Disaster Management Department,
Ezhilagam, Chepauk,
Chennai – 600 005.

3. The District Collector,
District Collector Office,
Tiruvannamalai – 606 604

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 and 2 to include the petitioner's name in the panel for promotion of the year 2024-2025 for the post of District Revenue Officer, taking into consideration of



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that as on crucial date i.e., 01.04.2024, as per report of the 3rd respondent vide Lr.No.A1/2002216/2024 dated 08.05.2024 by considering the petitioner's representation dated 26.11.2024 in the light of the order passed in the case of The Principal Secretary to Government & Ors Vs.V.Kandaswamy, W.A.No.646 of 2021, dated 15.09.2021 and the Hon'ble Writ Court in the case of M.Angayee vs The State of Tamil Nadu & Ors., W.P.No.6882 of 2016 dated 13.08.2024 and pass orders.

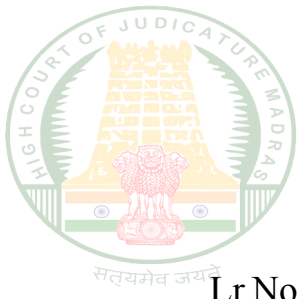
For Petitioner : Mr.S.N. Ravichandran

For Respondents 1 to 3 : Mr.Yogesh Kannadasan, SGP

ORDER

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

2. This petition is filed seeking to issue a Writ of Mandamus directing the Respondents 1 and 2 to include the petitioner's name in the panel for promotion of the year 2024-2025 for the post of District Revenue Officer, taking into consideration of that as on crucial date i.e., 01.04.2024, as per report of the 3rd respondent vide



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Lr.No.A1/2002216/2024 dated 08.05.2024 by considering the petitioner's representation dated 26.11.2024 in the light of the order passed in the case of The Principal Secretary to Government & Ors Vs.V.Kandaswamy, W.A.No.646 of 2021, dated 15.09.2021 and the Writ Court in the case of M.Angayee vs The State of Tamil Nadu and Ors., W.P.No.6882 of 2016 dated 13.08.2024 and pass orders.

3. The facts of the case is that the petitioner was working as a District Manager/ Deputy Collector of Tamil Nadu State Marketing Corporation Ltd., (TASMAL), Thiruvallur East, Thiruvallur District and he is eligible to be promoted to the post of District Revenue Officer. Whiles, a charge memo was issued to the petitioner by the second respondent on 06.07.2024 and the crucial date for promotion to the post of District Revenue Officer is i.e., 01.04.2024. The sum and substance of the case is that on the crucial date there is no disciplinary proceedings pending against the petitioner. Hence, the petitioner made a representation to the first and second respondents regarding the said issue through the 3rd respondent who intun recommended to include the name of the petitioner in the promotional list vide



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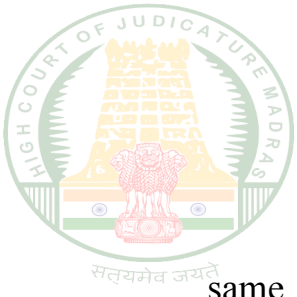
Lr.No.A1/2002216/2024 dated 08.05.2024. However, the same was not implemented and the petitioner was not given promotion till date, which has given rise to this petition.

4. The learned counsel for the petitioners submitted that the charge memo was issued to the petitioner only on 06.07.2024, whereas the crucial date for preparing the panel is on 01.04.2024. Hence, on that date there was no charge memo pending against the petitioner and he is eligible for promotion and prays for interference by this Court.

5. The learned Special Government Pleader appearing for the respondent submitted that a member undergoing any punishment on the date of consideration for actual promotion shall not be promoted. Hence, prays to dismiss this petition.

6. Heard both sides and perused the materials available on records.

7. On a perusal of records it is seen that this Court while dealing with a identical facts of the case in W.P.No.6882 of 2016 has allowed the



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same on 13.08.2024 with a direction to consider for promotion to the post which she is eligible.

7. Considering the facts of the case and based on the light of the Judgment passed by this Court in the similar facts of the case, this Court directs the first and second respondents to take note of the Lr.No.A1/2002216/2024 dated 08.05.2024 passed by the 3rd respondent and include the petitioner's name for promotion to the post of District Revenue Officer in the panel for promotion of the year 2024-2025 and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above observations this writ petition stands disposed of. No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

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