



W.P.No.18931 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

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A.Yuvaraj

...Petitioner

-Vs-

- 1.The Government of Tamil Nadu,
Rep. by Additional Chief Secretary,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.
- 2.The Commissioner / Director of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.
- 3.The Additional Director Survey and Land Records,
Survey House,
Chepauk,
Chennai.
- 4.The Regional Deputy Director of Survey and Land Records,
Collectorate Campus,
Coimbatore – 18.
- 5.The Assistant Director Survey and Land Record,
District Survey Office,
Collectorate Campus,
Salem District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondent to consider the claim of the petitioner with regard to revision of seniority in the post of Land Records Draftsman notionally from the date of the vacancies arise and to grant consequential benefits by considering the representation dated 28.02.2022 and pass such further orders.

For Petitioner : Mr.M.Sarath Kumar

For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

This writ petition has been filed to direct the respondents to consider the claim of the petitioner with regard to the revision of seniority in the post of Land Records Draftsman notionally from the date of the vacancies arising and to grant consequential benefits by considering the representation dated 28.02.2022.

2. The Petitioner was initially appointed on 26.03.1983 as Field Surveyor-cum-Draftsman on a consolidated pay basis and was thereafter absorbed in Tamil Scale of Pay as Surveyor-cum-Draftsman with effect from 23.02.1989. He retired from Government service on 31.10.2017 A.N as Head Draughtsman, District Survey Office, Salem, on attaining the age of superannuation.



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3. The Petitioner was promoted as Land Records Draftsman in Pro.Na.Ka.No.A2/16981/98 dated 07.12.1998 of the Assistant Director of Survey and Land Records and joined duty in that post on 10.12.1998. Later on, in and by proceedings Pro.Na.Ka.No.A2/18449/98 dated 18.12.1998, the Petitioner was promoted as Senior Draftsman on 25.04.2002 and he continued to work as such till April 2013.

4. While so, in and by G.O.Ms.No.425 Revenue (LS 3(2)) Department Dated 27.11.2012, the seniority of Land Records Draftsman and Senior Draftsman was refixed. The Petitioner's seniority in the post of Land Records Draftsman was fixed for the year 2003 and as Senior Draftsman in the year 2004 on the basis of fixation of seniority in the post of Senior Draftsman, along with pensionary benefits.

5. Learned counsel appearing for the petitioner would submit that on verification of the proposals submitted to the Accountant General with his service register, it has been found that the Assistant Director of Survey and Land Records, Salem, had taken into account the date, i.e. 25.04.2004, on the basis of which his seniority was fixed in the post of Senior Draftsman in G.O.Ms.No.452 dated 27.11.2012 referred to above instead of from 25.04.2002 and consequently



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the two increments granted subsequent to 25.04.2004 were left out in calculating the pension.

6. Learned counsel would further submit that a representation dated 28.02.2022 was made to the Assistant Director of Survey and Land Records, Salem, requesting to fix his correct seniority in the post of senior draftsman as on 25.04.2001 and revise the date of promotion on that basis in the light of G.O.Ms.No.176 School Education (SEs (1)) Department dated 17.12.2021 and the same was not considered by the respondents till date. Hence the writ petition is filed.

7. A counter affidavit was filed on behalf of the respondents dated 21.12.2023.

8. Learned Government Advocate appearing for the respondents would submit that the representation of the petitioner dated 28.02.2022 would be considered on merits, in accordance with law within the time frame stipulated by this Court.

9. Heard both sides and perused the materials available on record.

10. Without going into the merits of the case, the 3rd respondent



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is directed to consider the representation of the petitioner dated 28.02.2022 on merits, in accordance with law and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

24.01.2025

cda
Index : Yes/No
Speaking/Non Speaking order

To

- 1.The Additional Chief Secretary,
The Government of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.
- 2.The Commissioner / Director of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.

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- 3.The Additional Director Survey and Land Records,
Survey House,



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Chepauk,
Chennai.

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