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W.P.No.31941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 31941 of 2025
&
W.M.P.No. 35770 of 2025

S.Uma Maheswari

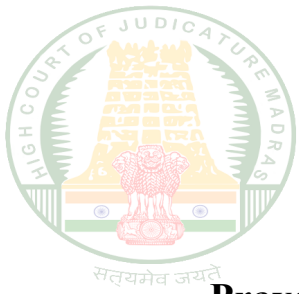
...Petitioner

Vs.

1.The Secretary to Government
Commercial Taxes and Registration Department,
Secretariat, St.George Fort,
Chennai-600 009

2.The Commissioner of Commercial Taxes
Ezhilagam,
Chepauk,
Chennai-600 005

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issue of Writ of Mandamus, directing the 1st and 2nd respondents to consider the representation of the petitioner dated 19.2.2024 and 21.7.2025 and promote the petitioner to the post of Assistant Commissioner (ST) on par with her Junior, Thiru.P.Rajamohan, (SI.No.27/2018) by including her name in the panel issued vide G.O.(MS)No.52 Commercial Taxes and Registration (E2) Department dated 09.2.2024 and to assign her due seniority in the cadre of Assistant commissioner with all consequential benefits including notional promotion, fixation of pay seniority and other attendant service benefits.

For Petitioner : Mr. K.Krishnamoorthy

For Respondents : Mr. C.Harsha Raj
Special Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“directing the 1st and 2nd respondents to consider the representation of the petitioner dated 19.2.2024 and 21.7.2025 and promote the petitioner to the post of



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Assistant Commissioner (ST) on par with her Junior, Thiru.P.Rajamohan, (SI.No.27/2018) by including her name in the panel issued vide G.O.(MS)No.52 Commercial Taxes and Registration (E2) Department dated 09.2.2024 and to assign her due seniority in the cadre of Assistant commissioner with all consequential benefits including notional promotion, fixation of pay seniority and other attendant service benefits”.

2. The petitioner was initially appointed as an Assistant in the Commercial Taxes Department on 07.08.2008. She was assigned Seniority No.5/2008 among the Assistants appointed that year. The petitioner would submit that though she had passed all the prescribed examinations, her name was omitted from the DCTO panel for the Combined Unit for the year 2011. The petitioner would submit that one Rajmohan who was assigned Seniority No.6/2008 was included in panel list.



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3. Therefore, the petitioner filed WP.No.38946 of 2015 before this Court to consider her case and by order dated 23.11.2016, this Court allowed the Writ Petition. Since the order was not complied with the petitioner filed Cont.P.No.395 of 2017 before this Court. Thereafter, the petitioner's name was included in the earlier panel of Deputy Commercial Tax Officer for the year 2011.

4. Thereafter, the 1st respondent issued GO.Ms.No.2, Commercial Taxes and Registration (E1) Department, dated 05.01.2024, whereby 76 Commercial Tax Officers were temporarily appointed as Assistant Commissioners and an additional 24 Commercial Tax Officers were appointed as Assistant Commissioners. In the said list the said Rajmohan was promoted as Assistant Commissioner (ST). However, the petitioner's name was not included in that list. Therefore, the petitioner sent representations dated 19.02.2024 and 21.07.2025. However, there is no response to the same. Hence, the petition.



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5. Heard the learned counsels and perused the records.

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6. In the earlier round of litigation, the petitioner's name in the seniority list has been included above the said Rajmohan. In the proceedings dated 05.01.2024 for the promotion list for the post of Assistant Commissioners the said Rajmohan's name has been included. However, the petitioner's name was not included.

7. Considering the above, the Writ Petition is allowed. The respondents are directed to consider the petitioner's representation and pass orders on merits and in accordance with law, within a period of 2 months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No

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To

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Commercial Taxes and Registration Department,
Secretariat, St.George Fort,
Chennai-600 009

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