IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.32219 of 2018

D.Ravisankar
Revenue Assistant (Retd)
Revenue Unit
Villupuram District. ...Petitioner

Vs.

1.The Additional Chief Secretary/Commissioner of
Revenue Administration
Revenue Administration Disaster Management and
Mitigation Department
Chepauk, Chennai 600 005.

2.The District Collector
Villupuram,
Villupuram District. ...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings dated 17/08/2018 in Proc.No.SER:3(1)16623/2018 of the 1st Respondent and to quash the same and consequently direct the 1st Respondent to forthwith grant notional promotion to the petitioner as Deputy Tahsildar with effect from 15.09.2012 with all attendant benefits till his date of retirement.

For Petitioner : M/s.AL.Gandhimathi
Senior Counsel
for Mr.C.Santhosh Kumar

For Respondents : Mrs.R.L.Karthika
Government Advocate

ORDER

The challenge in this writ petition is to the order dated 17.08.2018 passed by the first respondent in Proc.No.Ser:3(1)/16623/2015, by which the petitioner's claim for inclusion of his name in the panel for promotion to the post of Deputy Tahsildar for the year 2012 came to be rejected.

2. For promotion to the post of Deputy Tahsildar, the crucial date was 15.09.2012 and the panel was drawn on 16.04.2013. The petitioner retired from service on attaining the age of superannuation on 31.03.2013. The petitioner's claim for promotion while serving as Revenue Inspector was rejected on the ground that he had not completed two years of service in the cadre of Assistant as on the crucial date.

3. M/s.A.L.Gandhimathi, learned Senior Counsel appearing for the petitioner, submitted that the petitioner was appointed as Revenue Assistant on

27.03.2008 and was posted as Revenue Inspector on 01.03.2009. Thus, he had rendered service as Assistant for 11 months and 4 days, and thereafter continued to serve as Revenue Inspector up to the crucial date, i.e., 15.09.2012. In total, the petitioner had completed 4 years, 5 months, and 18 days of service in the combined cadres of Assistant and Revenue Inspector. Therefore, denial of promotion is arbitrary and discriminatory.

4. Per contra, Mrs.R.L.Karthika, learned Government Advocate appearing for the respondents, submitted that Annexure-III to Rule 7 of the Tamil Nadu Revenue Subordinate Service Rules mandates that, for promotion to the post of Deputy Tahsildar, an employee must have completed two years of service as Assistant and another two years as Revenue Inspector. In the present case, the petitioner had not completed two years of service as Assistant and therefore was not eligible for promotion.

5. The submissions made by the learned counsel on either side and the materials placed on record have been carefully considered.

6. Annexure-III to Rule 7 of the Tamil Nadu Revenue Subordinate Service Rules prescribes that a person must have completed two years of service as Assistant and two years of service as Revenue Inspector for promotion to the

post of Deputy Tahsildar. In the present case, the petitioner was appointed as Revenue Assistant on 27.03.2008 and served till 28.02.2009, i.e., for a period of 11 months and 4 days, after which he was posted as Revenue Inspector on 01.03.2009. The petitioner was thus posted as Revenue Inspector before completing two years of service as Assistant, which was an administrative decision of the respondents and cannot be put against the petitioner.

7. The petitioner had, in aggregate, completed 4 years, 5 months, and 18 days of service in the cadres of Assistant and Revenue Inspector as on the crucial date. Denial of promotion on the ground that he had not completed two years of service as Assistant would be unjust and arbitrary, particularly when such non-completion was solely due to his earlier posting as Revenue Inspector by the respondents themselves. In such circumstances, the relevant rule is required to be interpreted liberally and purposively, failing which an otherwise eligible employee would be denied promotion for no fault of his own. Therefore, the impugned order passed by the first respondent is legally unsustainable.

8. Accordingly, the writ petition is allowed. The impugned order dated 17.08.2018 passed by the first respondent in Proc.No.Ser:3(1)/16623/2015 is hereby set aside. The respondents are directed to grant notional promotion to the

petitioner to the post of Deputy Tahsildar with effect from 15.09.2012 and to extend all consequential monetary benefits. The respondents are directed to revise the petitioner's pension and pensionary benefits accordingly and settle the same within a period of two (2) months from the date of receipt of a copy of this order. There shall be no order as to costs.

16.12.2025

Index : Yes/No
Speaking order : Yes/No
dna

To

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Revenue Administration Disaster Management and
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Chepauk, Chennai 600 005.

2.The District Collector
Villupuram,
Villupuram District.

HEMANT CHANDANGOUDAR.J.,

dna

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