



W.P.(MD).No.2631 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.2631 of 2025

S.Menaka

... Petitioner

-VS-

1. The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai 600 009.

2. The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai 600 005.

3. The District Collector,
Dindigul,
Dindigul District.

4. The District Revenue Officer,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to issue appropriate orders on the proposal submitted by the 3rd respondent through the 2nd respondent in Na.Ka.No.2389/2022-1/A1 dated 05.03.2024 to relax the relevant Rule of the Tamil Nadu Ministerial Services and the Tamil Nadu



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Revenue and Subordinate Service Rules by computing the service of 4 months and 27 days as Revenue Inspector to add to the service of Firka Revenue Inspector service of 1 year 8 months and 29 days to make up a total service of 2 years as Firka Revenue Inspector, by considering representation of the petitioner dated 12.01.2025 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to issue appropriate orders on the proposal submitted by the 3rd respondent through the 2nd respondent in Na.Ka.No.2389/2022-1/A1 dated 05.03.2024 to relax the relevant Rule of the Tamil Nadu Ministerial Services and the Tamil Nadu Revenue and Subordinate Service Rules by computing the service of 4 months and 27 days as Revenue Inspector to add to the service of Firka Revenue Inspector service of 1 year 8 months and 29 days to make up a total service of 2 years as Firka Revenue Inspector, by considering the representation of the petitioner dated 12.01.2025, within the period that may be stipulated by this Court.



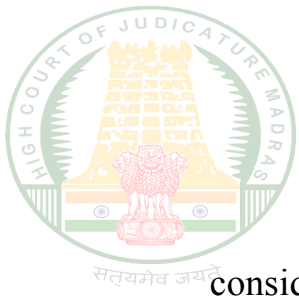
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2. Heard the learned counsel on either side.

3. The petitioner has been working as 'Head Assistant / Deputy Tahsildar', in the third respondent office and his seniority to the post of 'Tahsildar' is serial number 5 in the promotion panel. Three of his seniors were promoted as Tahsildar. Hence, the petitioner made a representation before the respondents 3 and 4 seeking for the same relief as that of his seniors. On considering the same, the third respondent sent a proposal dated 05.03.2024 to the second respondent to relax the relevant Rule of the Tamil Nadu Ministerial Services and the Tamil Nadu Revenue and Subordinate Service Rules by computing the service of 4 months and 27 days as Revenue Inspector to add to the service of Firka Revenue Inspector service of 1 year 8 months and 29 days to make up a total service of 2 years as Firka Revenue Inspector. However, no steps have been taken thereafter. Therefore, the petitioner made a representation to the respondents dated 12.01.2025 seeking for the said relief. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to



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consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 12.01.2025, on its own merits and pass appropriate orders in accordance with law, within a period of one month from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

26.06.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
26.06.2025