



W.P.(MD)No.15523 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15523 of 2025

A.Gajendran

... Petitioner

-VS-

1.Government of Tamil Nadu,
Through its Principal Secretary,
Revenue and Disaster Management Department,
Secretariat, Chennai.

2.The Commissioner of Revenue Administration /
Additional Chief Secretary,
O/o. Commissionerate of Revenue Administration,
Ezhilagam, Chepauk,
Chennai.

3.The District Collector,
Collector's Office, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.03.2025 and to re-fix the petitioner's pay in the post of the Deputy Collector, by granting notional promotion on the basis of the revised list of Tahsildar, Madurai District, during the year 2009.



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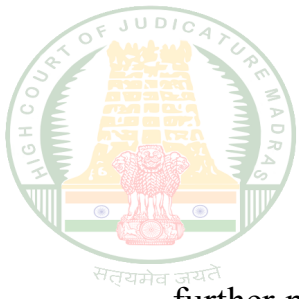
For Petitioner : Mr.R.Suriya Narayanan
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 18.03.2025 and to re-fix the petitioner's pay in the post of Deputy Collector by granting notional promotion based on the revised seniority list of Tahsildars, Madurai District, for the year 2009.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he was appointed as a Junior Assistant in the Revenue Department through the Tamil Nadu Public Service Commission (TNPSC) on 28.11.1984. He was subsequently promoted as Assistant in the year 2000, then as Deputy Tahsildar on 07.06.2009 and finally as Tahsildar in 2013. The petitioner retired from service on 31.03.2019, upon attaining the age of superannuation. Subsequently, in the year 2022, the seniority panel relating to the post of Tahsildar was redrawn. However, the petitioner was not considered for



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WEB COPY further promotion to the post of Deputy Collector, whereas his juniors, who were included in the Tahsildar Panel for the year 2009, were promoted to the post of Deputy Collector. Therefore, the petitioner submitted a representation dated 18.03.2025 to the respondents, requesting that he may be granted notional promotion to the post of Deputy Collector in the appropriate panel year and that his pay be re-fixed in that cadre accordingly, from the date of such notional promotion. As the said representation has not been considered till date and the petitioner is left with no other effective or alternative remedy, he has approached this Court by way of the present Writ Petition seeking the relief stated supra.

4. Heard both sides.

5. 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 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



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Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 18.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months 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 concerned to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

16.06.2025

To:-

1. The Principal Secretary to Government of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat, Chennai.



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2.The Commissioner of Revenue Administration /
Additional Chief Secretary,
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VIVEK KUMAR SINGH, J.

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