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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.7806 of 2024
and WMP.Nos.8740, 8741 & 8743 of 2024

1. R.Viswanathan
2. R.Rajeswaran
3. R.Ranjith Kumar
4. K.Sumathi
5. P.Thirumurugan
6. M.Muraliraj
7. G.Latha
8. S.Priya Mary
9. K.M.Selvi
10. M.Nagarajan
11. K.Kumar
12. T.Sathishkumar
13. N.Arivazhagan
14. G.Ganeshkumar
15. R.Narayanan
16. K.Ramkumar
17. K.R.Pranav
18. P.Gautam
19. K.Maheswari
20. E.Prakash
21. G.Tamilarasan
22. L.Jayanthi
23. M.Kumaravel
24. S.Muruganandam

.... Petitioners



Vs

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1. The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, Fort St.George,
Chennai 600 009.
2. The Director of Town Panchayats
Municipal Administration Office Complex
Raja Annamalaipuram,
Chennai 600 028.
3. V.Daniel Selvaraj
4. M.Vijaya
5. N. Jaishankar
6. C.Theivanai
7. A.Rajendra Babu
8. P.Alagarswamy
9. K.Ravichandran
10. A.Arumugam
11. M.Theravidamani
12. K.Varadharajan
13. R.Madhavi
14. S.Sivaprakash
15. T.Nagaraj
16. S.Dhandapani
17. K.Venkatraman
18. B.Chandrasekaran
19. V.Narayana Rao



20. R.Seetharaman

21. S.Suganthi

22. M.Sudhakar

23. B.Kumar

24. C.Poongothai

25. R.Kanaga

26. N.Parvathi

27. T.Palanisamy

28. S.Sunitha Kumari

29. G.Kavitha

30. A.Nagarajan

31. A.N.Mahendran

32. N.Vasu

33. T.A.Karunanithi

34. S.Karuppaiyan

35. V.Baladhandayuthapani

36. A.Marimuthu

37. M.Hakkim Shat

... Respondents

Respondents 3 to 37 are impleaded by this Court dated 03.04.2025 in WMP.No.29111 of 2024 in W.P.No.7806 of 2024

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus to call for the records pertaining to the order dated 14.02.2024 made in Na.Ka.No.8947/2023/A2 on the file of the Director of Town Panchayats, Municipal Administration Office Complex, Raja Annamalaipuram, Chennai 600 028, the 2nd respondent herein and quash the same and consequently direct the 2nd



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respondent to fix the seniority of the Junior Assistants/Bill Collectors in accordance with the date of their entry into the service.

For Petitioner(s) : Mr.R.Vinothkumar

For Respondent(s) : Mr.R.Neelakandan
Additional Advocate General X
Asst.by Mr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus to call for the records pertaining to the order dated 14.02.2024 made in Na.Ka.No.8947/2023/A2 on the file of the Director of Town Panchayats, Municipal Administration Office Complex, Raja Annamalaipuram, Chennai 600 028, the 2nd respondent herein and quash the same and consequently direct the 2nd respondent to fix the seniority of the Junior Assistants/Bill Collectors in accordance with the date of their entry into the service.

2. In the affidavit filed in support of the writ petition which had been filed by 24 petitioners it had been stated that the appointment to the post of Junior Assistants/Bill Collectors/Typist in the Town Panchayat Service



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were made through recruitment by Tamil Nadu Public Service Commission. The petitioners had been recruited after they had applied for the said post in the recruitment notification and they have joined service between the years 2007 and 2019. It is contended that inter-se seniority among the Junior Assistants/Bill Collectors and Typist would have to be determined and in this connection the 2nd respondent, Director of Town Panchayat, Municipal Administration Complex, Chennai had issued a provisional seniority list which is now impugned in the writ petition. The petitioners have their grievances over the provisional seniority list and claim that the seniority list should have been prepared in accordance with the date of entry into service. They have filed the present writ petition seeking a certiorari to quash the said provisional seniority list. WMP.No.29111 of 2024 been filed by 35 petitioners seeking to implead themselves in the writ petition. They claim that they should be heard before any order is passed touching upon the provisional seniority list.

3. The learned Additional Advocate General who had been instructed on behalf of the 1st & 2nd respondents however pointed out that this Court



had passed an order on 25.03.2024 which is as follows:-

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“There shall be an order of interim stay of any promotion, pursuant to the impugned order of panel, to the post of Assistant subject to the result of this writ petition”.

4. It had been contended that the promotion should not be made since the seniority list had not been finalised and the order works to the disadvantage of all the employees Junior Assistants/Bill Collectors/Typist. Consequently, the respondents have filed a petition to vacate the stay but it is not listed in the cause list and is still in the Registry. But at any rate a perusal of the impugned order shows that it had been clarified that it is only a provisional seniority list and any person whose name found in the said seniority list had been granted an opportunity to raise objections within a period of 15 days from the date of such seniority list had been published. It had actually been stated as follows:-

“மேற்காண் முன்னுரிமை பட்டியலின் மீது ஆட்சேபணைகள் தெரிவிக்கும் பணியாளர்கள் தங்களது ஆட்சேபணை குறித்த மேல்முறையீட்டு மனுவினை இச்செயல்முறை ஆணை வெளியிடப்பட்ட நாளிலிருந்து 15 நாட்களுக்குள் சம்மந்தப்பட்ட மண்டல பேரூராட்சிகளின் உதவி இயக்குநரின் வழியாக இவ்வியக்கத்திற்கு அனுப்பிட தெரிவித்துக்கொள்ளப்படுகிறது.”

5. The learned Additional Advocate General pointed out the



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aforementioned statement made in the impugned order itself and argued that the petitioners who seek to implead themselves can raise their objections and that objections would be considered in the proper light. This statement made by the learned Additional Advocate General is taken in its right spirit by this Court. The petitioners are permitted to raise their objections if any but however on or before 30.04.2025. Anybody whose names are found in the provisional seniority list the petitioners can raise their objections on or before 30.04.2025. If it is so raised, the 2nd respondent may examine such representation and pass appropriate orders. In view of this particular fact, the interim stay granted on 25.03.2024 stands vacated. The writ petition itself stands disposed of.

6. With the above direction and observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

03.04.2025
(2/2)

dpq
Index : Yes /No
Speaking Order : Yes/No



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C.V.KARTHIKEYAN, J.

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To

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, Fort St.George,
Chennai 600 009.

2. The Director of Town Panchayats
Municipal Administration Office Complex
Raja Annamalaipuram,
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