



W.P.No.39728 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 27.07.2026

Pronounced on : 31.07.2026

CORAM :

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.39728 of 2006

G.Marimuthu

... Petitioner

vs

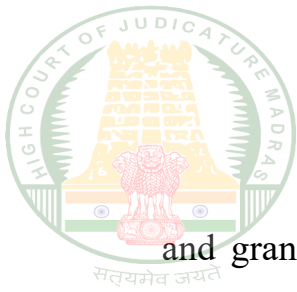
1. The Additional Director of Survey and
Land Records, Chepauk,
Chennai – 600 005.

2. The Assistant Director of Survey and
Land Records, Ramanathapuram,
Ramanathapuram District.

3. The Deputy Director,
Survey Training Institute
Orathanadu, Ramanathapuram District.

... Respondents

Prayer: O.A.No.1629 of 1998 filed before the Tamil Nadu Administrative Tribunal stood transferred to this Court and re-numbered as W.P.No.39728 of 2006, which was filed praying to call for the records relating to the impugned order of the first respondent in Na.Ka.No.2/173/98 (Ni.A) dated 21.01.1998 and quash the same and direct the respondents to depute the Applicant for Survey Training



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and grant him all the benefits including promotion as Assistant on par with the Junior Assistants who were deputed for Survey Training in Batch No.336.

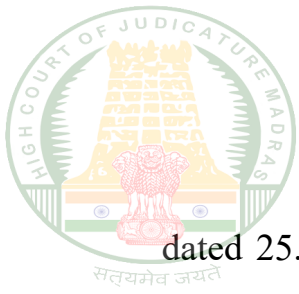
For Petitioner : Mr.P.Mohanraj
for Mr.P.Rajendran

For Respondents : Mrs.Y.Kavitha
Government Advocate

ORDER

Heard the learned counsel appearing for the petitioner through video conferencing and the learned Government Advocate appearing for the respondents and perused the records.

2. Briefly put, the case of the petitioner is that he was appointed as Typist on consolidated pay on 15.09.1984; that he was granted time scale on 01.09.1989; that his services were regularized under G.O.Ms.No.201, Revenue Department dated 18.02.1997, with effect from 01.09.1989; that on his services being regularized, the respondents, without preparing a combined seniority list of Junior Assistants and Typists, had sent Junior Assistants who were juniors to him in service *vide* proceedings dated 10.02.1997 for Survey Training to Bhavanisagar in Batch No.336; that aggrieved by his exclusion, he submitted a representation

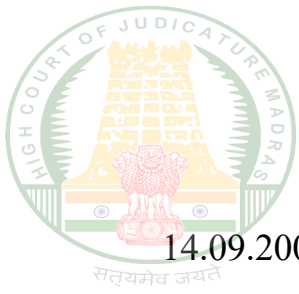


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dated 25.07.1997 for being included in the list of employees to be sent for basic training at Bhavanisagar; and that the respondents, contrary to the terms of G.O.Ms.No.417 and without taking note of the effect of G.O.Ms.No.201, had disposed of his representation by the impugned order dated 21.01.1998 stating that only Junior Assistants are being sent for basic training conducted at Bhavanisagar, who had completed the Training and whose probation has been declared; and that the seven Typists including the petitioner, who come in-between Junior Assistants in the seniority list, did not find place in the list as per their seniority.

3. It is the further case of the petitioner that the aforesaid disposal of the representation by the respondents is contrary to G.O.Ms.No.417 and hence, is liable to set aside.

4. Per contra, the learned Government Advocate appearing on behalf of the respondents submits that the petitioner is no more in service as of today, for him to be feel aggrieved by the aforesaid action; that the petitioner was in fact granted promotion on 26.11.1999; and that this Court, taking note of the said promotion, had dismissed the present writ petition as infructuous earlier on



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14.09.2009; and that the petitioner being aggrieved by the aforesaid order, had filed a writ appeal *vide* W.A.No.2077 of 2010 and the Division Bench of this Court by order dated 14.06.2011, had set aside the said order and remitted the matter back to the learned Single Judge to take up the writ petition for final hearing; and that due to passage of time of 15 years therefrom, the cause does not survive for consideration.

5. The learned Government Advocate further submits that the services of the petitioner were regularized under G.O.Ms.No.201 dated 18.02.1997 retrospectively with effect from 01.09.1989; and that till the issuance of G.O.Ms.No.201, the petitioner cannot claim that his services having been regularized from 01.09.1989, for him to claim seniority over the Junior Assistants who were appointed between 1989 to 1997.

6. On behalf of the respondents, it is also contended that as per G.O.Ms.No.417 dated 31.12.1995, a combined seniority among Junior Assistants and Typists is required to be prepared by the Public Service Commission and till such time, the Public Service Commission undertakes such an exercise, the



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petitioner cannot claim of he being placed over the Junior Assistants in seniority or that the respondents ignoring the said seniority having prepared the list of Junior Assistant for sending them to training at Bhavanisagar.

7. Contending as above, the respondents seek for dismissal of the writ petition.

8. I have taken note of the respective contentions as urged.

9. At the outset, it is to be noted that though the petitioner was appointed as a Typist on 15.09.1984 on a consolidated pay and was granted time scale on 01.09.1989, it is only upon the issuance of G.O.Ms.No.201 dated 18.02.1997 his services were regularized with effect from 01.09.1989. Thus, till the issuance of G.O.Ms.No.201 dated 18.02.1997, the petitioner could not have been and cannot be, aware as to when and from what date his services would be regularized. Thus, the petitioner's right to claim seniority over the Junior Assistants, if any, had arisen for the first time on 18.02.1997 and not before.



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10. That being so, on the respondents preparing the list of Junior

Assistants for being sent for basic training to Bhavanisagar on 10.02.1997, neither the petitioner nor the respondents could be aware or imagined of the impending issuance of G.O.Ms.No.201 after 8 days, for the petitioner to claim of the respondents, having forwarded the names ignoring the seniority or the respondents requiring to consider the seniority of the Typists based on a combined seniority among the Junior Assistants and Typists.

11. Further, it is also to be noted that the petitioner being aggrieved by the rejection of his representation dated 25.07.1997 by the respondents, though had approached the Administrative Tribunal claiming that the respondents ought to have prepared the list on the basis of the combined seniority as per G.O.Ms.No.417 dated 31.12.1995 for being sent for basic training, neither arrayed the Public Service Commission, which is required to undertake the exercise of preparation of combined seniority list as per G.O.Ms.No.417, as a party respondent therein, nor has it been shown to this Court of the petitioner approaching the Public Service Commission at any point of time for the issuance of combined seniority list, for him to allege the respondents having prepared the list, ignoring the petitioner's



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seniority in the combined seniority list.

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12. Since, the petitioner by his own admission, admit to the fact of the respondents sending list of candidates deputed for training *vide* proceedings dated 10.02.1997 addressed to the Joint Director of Survey and Land Records, Chennai, being prior in point of time of services of the petitioner being regularized *vide* G.O.Ms.No.201 dated 18.02.1997, the petitioner cannot be allowed to contend as on 10.02.1997 being in regular service for his name to be included in the list or the respondents excluding his name from being considered. Thus, the challenge to the impugned proceedings is without any substance.

Accordingly, the writ petition fails and is dismissed. No order as to costs.

31.07.2026

Speaking order / Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
dh



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- To
1. The Additional Director of Survey and
Land Records, Chepauk,
Chennai – 600 005.
 2. The Assistant Director of Survey and
Land Records, Ramanathapuram,
Ramanathapuram District.
 3. The Deputy Director,
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Orathanadu, Ramanathapuram District.



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T. VINOD KUMAR, J.

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Pre-delivery order made in
W.P.No.39728 of 2006

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