

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.23107 to 23112 of 2016
and
W.M.P.Nos. 19816 to 19833 of 2016

D.Saranya Petitioner in WP.23107 of 2016
M.Navaneetham ... Petitioner in WP.23108 of 2016
R.Rajalakshmi Petitioner in WP.23109 of 2016
P.A.Arul Selvam Petitioner in WP.23110 of 2016
S.Sudhakar Petitioner in WP.23111 of 2016
P.Punithavathy Petitioner in WP.23112 of 2016

Vs.

1. State of Tamil Nadu
rep. by Secretary to Government
Revenue Department
Fort St.George
Chennai-600 009.
2. Additional Chief Secretary-cum
Commissioner of Revenue Administration
Ezhilagam
Chepauk
Chennai-600 005.
3. The District Collector
Vellore
Vellore District. Respondents in all WPs

Prayer in W.P.Nos.23107 to 23112 of 2016:-

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Ceriorarified Mandamus, to call for the records from the respondents 2 and 3 relating to the order in Na.Ka.Pani 4(4)/32462/2013, dated 23.09.2014 and the order bearing No.A2/Pdl./ 377/2012, dated 21.07.2015 respectively, and quash the same and to direct the respondents to prepare the list of seniority of Assistants fixing inter se seniority between the direct recruits and the promotees in accordance with law and award costs.

For Petitioner : Mr.S.Ayyathurai

For Respondents : Mr.M.S.Ramesh,
Additional Government Pleader

COMMON ORDER

According to the petitioners, they joined the service as Assistants in December, 2012 and thereby, they became senior to the nine Typists, who became eligible to be treated as Assistants only in July, 2013. The 2nd respondent, by the impugned order, dated 23.09.2014, directed the 3rd respondent to include the said nine Typists in the seniority list of Assistants w.e.f. June, 2012. The 3rd respondent, by the consequential impugned order dated 21.07.2015, included the said nine Typists in the list of seniority of Assistants w.e.f. June, 2012. Aggrieved against the order of the 2nd respondent, dated 23.09.2014, the petitioners preferred individual revisions, in June, 2015, before the 1st respondent. Thereafter, the petitioners have sent reminders in June, 2016. But, the revisions are still pending and the same have not been disposed of so far. While so, the petitioners came to know that the 3rd respondent is going to prepare and release inter se seniority between the direct recruits and promotees. Therefore, the petitioners are before this Court with these Writ Petitions seeking to quash the order passed by the 2nd respondent in Na.Ka.Pani 4(4)/32462/2013, dated 23.09.2014 and the consequential, order passed by the 3rd respondent bearing No.A2/Pdl./377/2012, dated 21.07.2015 and to direct the respondents to prepare the list of seniority of Assistants fixing inter se seniority between the direct recruits and promotees in accordance with law.

2.These Writ Petitions have come up today for admission. Mr.M.S.Ramesh, learned Additional Government Pleader takes notice for the respondents.

3.The learned counsel for the petitioners would submit that the impugned order of the 2nd respondent, dated 23.09.2014, affects their right to seniority in the list of seniority of Assistants in the Vellore District Unit, hence, they have filed revisions and the same are pending before the 1st respondent. However, after some elaborate arguments, the learned counsel for the petitioners would contend that he would be satisfied, if the revisions, which are now pending before the 1st respondent, are directed to be considered and disposed of, within a time frame.

4. The learned Additional Government Pleader would contend that individual revisions were filed in June, 2015, before the 1st respondent against the order of the 2nd respondent, dated 23.09.2014, and thereafter, reminders were sent in June, 2016, but, till date, the revisions were not disposed of. He would further add that he has no objection in directing the 1st respondent to dispose of the revisions, after issuing notice and affording sufficient opportunity to all the parties concerned, within a time frame.

5. Though, a larger relief is sought for in these Writ Petitions, since, the petitioners have restricted their prayer, without expressing any opinion regarding the merits of the revisions filed by the petitioners, these Writ Petitions are disposed of, with a direction to the 1st respondent to consider and dispose of the revisions filed by the petitioners in June, 2015, along with the reminders sent in June, 2016, if the same have not been so far disposed of, on merits and in accordance with law, after issuing notice and affording sufficient opportunity to all the parties concerned, who will be affected by this order, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

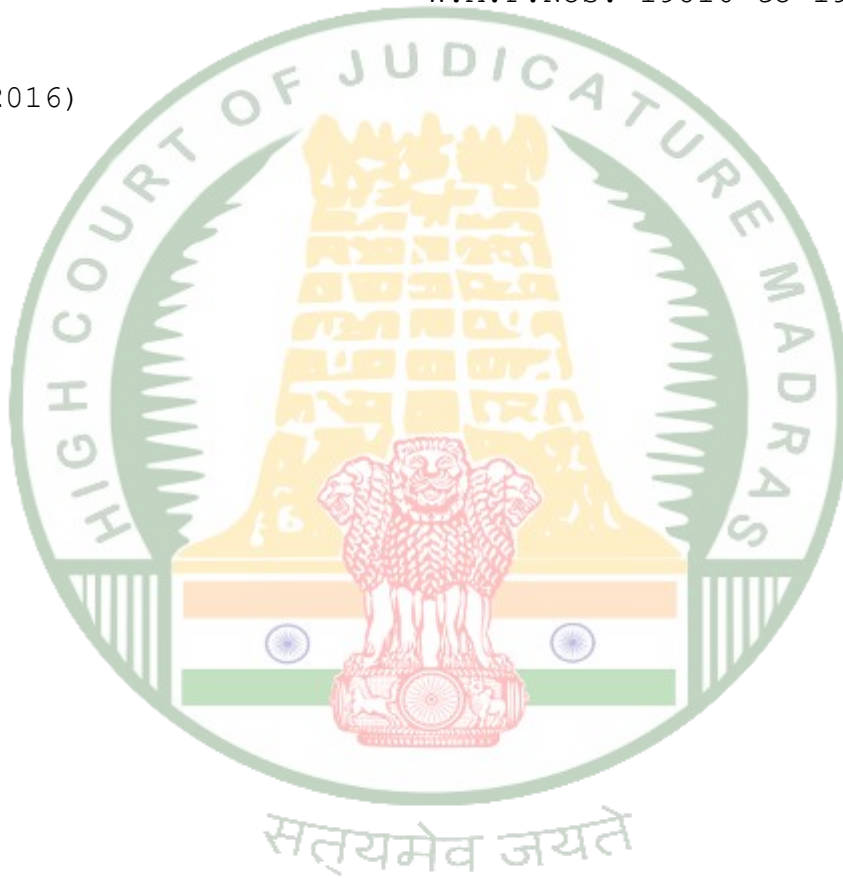
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3. The District Collector
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Vellore District.

+6cc's to Mr.S.Ayyathurai, Advocate, S.R.Nos.37596 to 37601
+1cc to the Government Pleader, S.R.No.37989

W.P.Nos.23107 to 23112 of 2016
and
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RSK (CO)
CA(12/07/2016)



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