

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.A.No.341 of 2016
and
C.M.P.No.5118 of 2016

- 1.The Government of Tamil Nadu
rep. by the Principal Secretary to
Government,
Handlooms, Handicrafts, Textiles
and Khadi Department,
Fort St. George, Chennai - 9.
- 2.The Director of Sericulture,
Salem - 636 001. .. Appellants

Vs.

- 1.K.Muthuraman
- 2.K.Meenakshisundaram
- 3.D.Dhanasamy
- 4.A.M.Shanavas
- 5.P.Muthukumar
- 6.G.A.Chandrasekaran
- 7.S.Velusamy
- 8.D.Mohan
- 9.M.Raffiuddeen
- 10.K.Murugesan
- 11.V.Kesavan
- 12.A.Khadar Basha .. Respondents

Appeal filed under Clause 15 of Letters Patent against the order dated 15.02.2016 made in W.P.No.5437 of 2016 and W.M.P.No.4739 of 2016.

WMP.No.4739 of 2016: Writ Petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue an appropriate Order, Directions or Writ including a Writ of Certiorarified Mandamus

to call for the records relating to the impugned Notification of the second respondent in Notification No.01/2016 and quash the same in so far as recruitment to the post of Assistant Inspector of Sericulture is concerned and direct the respondents to follow the ratio of 2:1 for promotion and direct recruitment in the present recruitment to the post of Assistant Inspector of Sericulture pursuant to the said Notification and refrain from filing up 2/3rd of the total number of 43 vacancies by direct recruitment and consequently direct the respondents to consider promoting the Petitioners with reference to their eligibility and seniority [in WP.No.5437 of 2016].

For Appellants .. Mr.P.H.Arvinth Pandian,
Addl. Advocate General
assisted by
Ms.A.Srijayanthi,
Spl. Govt. Pleader

JUDGMENT

(delivered by SATISH K.AGNIHOTRI, J.)

Heard Mr.P.H.Arvinth Pandian, learned Additional Advocate General appearing for the appellants. Notice to the respondents is dispensed with at this stage as no adverse order is passed against them in this writ appeal. Thus, with the consent of the learned Additional Advocate General appearing for the appellants, the writ appeal is taken up for final disposal at the admission stage itself.

2.The instant appeal is directed against the order of the learned single Judge dated 15 February 2016 made in W.P.No.5437 of 2016 and W.M.P.No.4739 of 2016, whereunder, the appellants herein were directed to keep 12 posts of Assistant Inspector of Sericulture vacant until further orders.

3.Learned Additional Advocate General appearing for the appellants submits that the appellants be permitted to seek modification of the order dated 15 February 2016, in view of the fact that in an identical case in W.P.No.18291 of 2015, the learned single Judge has made the observation, "as and when his turn comes he will be considered".

4.On perusal of the aforestated order, it appears that there is a contradiction. Thus liberty is granted to the appellants to make appropriate application before the learned single Judge for modification of the order impugned in this writ appeal, if so advised.

5.With the aforestated observation, the writ appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

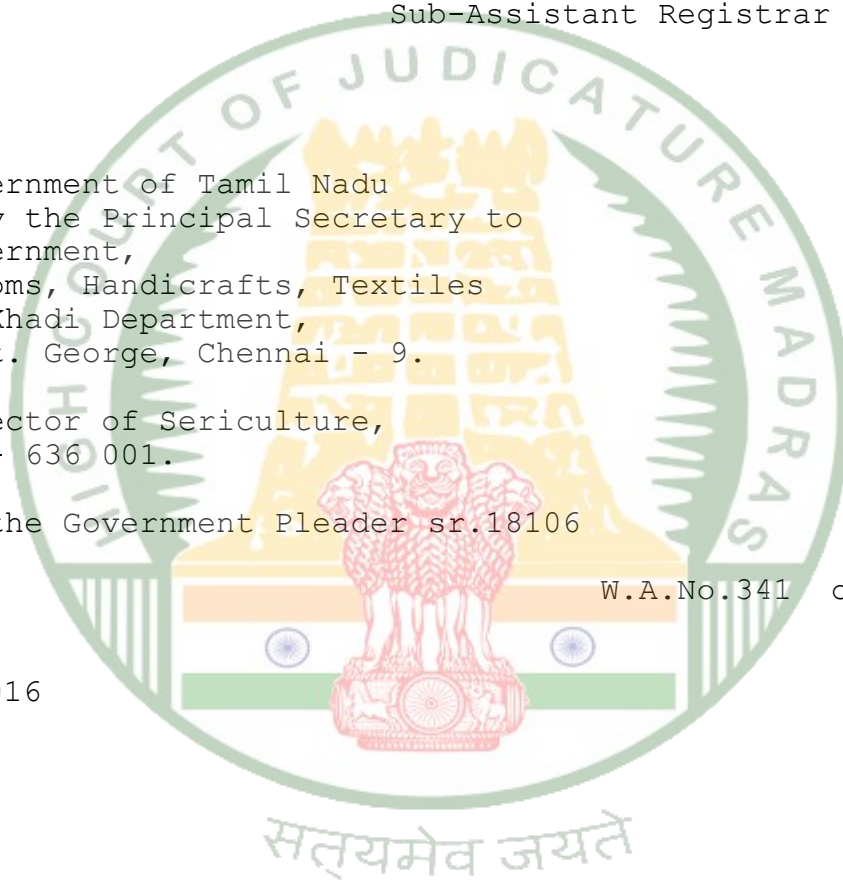
1.The Government of Tamil Nadu
rep. by the Principal Secretary to
Government,
Handlooms, Handicrafts, Textiles
and Khadi Department,
Fort St. George, Chennai - 9.

2.The Director of Sericulture,
Salem - 636 001.

+1 cc to the Government Pleader sr.18106

W.A.No.341 of 2016

aa11/04/2016



WEB COPY