



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.11435 of 2016

and

WMP (MD) No.8751 of 2016

- 1.M.Saravanan
- 2.S.Nagarajan
- 3.D.Sangeetha
- 4.N.Saroja
- 5.R.Malathi
- 6.Kannadasan
- 7.N.Karthikeyan
- 8.V.Ashokkumar
- 9.S.Elango
- 10.M.Saravanamoorthy
- 11.K.Nirmal
- 12.B.Indrani
- 13.G.Balasubramanian
- 14.P.Anbumani
- 15.P.Senthilkumar
- 16.S.Mahesh
- 17.G.Suganadevi
- 18.T.Premkumar
- 19.S.Suresh
- 20.R.Palanisamy
- 21.G.Paulpandi
- 22.K.Shanthi
- 23.S.Revathi
- 24.B.Gurumoorthy

..Petitioners

vs.

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Rural Development & Panchayat Raj Department,
Secretariat,
Chennai.
- 2.The Principal Secretary/Personal &
Administrative Reforms (B) Department,
Secretariat,
Chennai-9.
- 3.The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai,
Secretariat,
Chennai - 15.



4.The District Collector,
Karur,
Karur District.

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to draw the inter seniority list of Assistants directly recruited through TNPSC and the Promotive Assistants by placing the promotive Assistants below the directly recruited Assistants in the light of the fact that the promotive Assistants did not complete the one year Junior Assistant Training as contemplated under Rule 30(c) of the Tamil Nadu Ministerial Services Rules by considering the petitioner's representation, dated 30.05.2016.

For Petitioner :Mr.M.Ajmalkhan, Senior Counsel for
M/s.Ajmal Associates

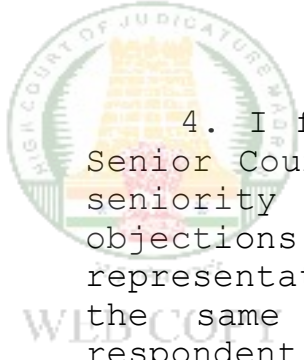
For Respondents :Mr.M.Rajarajan,
Government Advocate

ORDER

The petitioner Mr.Saravanan and 23 others, who are working as Assistants in various Departments in Karur District, have come to this Court seeking issuance of a Writ of Mandamus directing the District Collector to draw the inter se seniority list of Assistants directly recruited through TNPSC and the Promotive Assistants by placing the promotive Assistants below the directly recruited Assistants, in the light of the fact that the promotive Assistants did not complete the one year Junior Assistant Training as contemplated under Rule 30(c) of the Tamil Nadu Ministerial Services Rules and by considering the petitioners' representation, dated 30.05.2016.

2. Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents.

3.The learned Senior Counsel appearing for the petitioners would submit that when a tentative seniority list was prepared on 29.04.2016 by the fourth respondent inviting reply/objections from all the concerned, the petitioners jointly preferred a detailed representation on 30.05.2016 and submitted the same before the fourth respondent requesting him to consider the same. But the grievance of the petitioners is that even without considering the detailed representation made by them to the tentative seniority list, the fourth respondent has been proceeding further. Therefore, if a limited direction is given to consider the petitioners' representation, dated 30.05.2016, before taking a
<https://hcservices.courts.gov.in/hcservices/> the tentative seniority list, that would serve the cause of justice to all the persons.



4. I find some merits in the submissions made by the learned Senior Counsel appearing for the petitioners. When the tentative seniority list of Assistants was prepared on 29.04.2016 inviting objections from all the concerned within thirty days, a representation has been made by the petitioners on 30.05.2016 and the same appears to have been acknowledged by the fourth respondent. Therefore, the fourth respondent is hereby directed to consider and pass orders on the representation submitted by the petitioners, dated 30.05.2016, on merits and in accordance with law, before finalising the seniority list of Assistants.

5. With the above direction, the writ petition stands disposed of. No costs. WMP(MD)No.8751 of 2016 is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Secretary, State of Tamil Nadu,
Rural Development & Panchayat Raj Department,
Secretariat, Chennai.
2. The Principal Secretary/Personal &
Administrative Reforms (B) Department,
Secretariat, Chennai-9.
3. The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai - 15.
4. The District Collector,
Karur, Karur District.

+1cc to M/s.Ajmal Associates, in SR.33450

W.P. (MD)No.11435 of 2016
27.06.2016

pm

PBK/AAL-MPA/SAR-I 30/06/2016 ::3P-6C::