



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) .No.14232 of 2016

1.K.Balamurugan
2.G.Rajagurunath Prabhu
3.A.Marimuthupandian
4.P.Ramar

... Petitioners

Vs.

The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a WRIT OF MANDAMUS directing the respondent i.e the District Collector, Virudhunagar District, Virudhunagar to pass appropriate orders on the objection petitions preferred by the petitioners on 04.07.2016, 05.07.2016 and 08.07.2016 praying to re-fix their inter se-seniority between promotee Assistants and directly recruited Assistants as per the provisions contained in Rule 30C Tamil Nadu Ministerial Service Rules, G.O.(Ms)No.349 P & AR Department, dated 12.04.1984, and G.O.(Ms)No.585 P & AR Department dated 12.04.1984, within a specified time frame that may be fixed by this Hon`ble High Court.

For petitioner : Mr.S.Visvalingam

For respondents : Mr.M.Murugan
Govt. Advocate

ORDER

The petitioners herein seek for issuance of a Writ of Mandamus, directing the respondent/District Collector, Virudhunagar District, Virudhunagar, to pass appropriate orders on the objection petitions preferred by them on 04.07.2016, 05.07.2016 and 08.07.2016, praying to re-fix their inter-se seniority between Promotee Assistants and Directly Recruited Assistants, as per the provisions contained in Rule 30C of the Tamil Nadu Ministerial Service Rules, G.O.(Ms)No.349 P & AR



Department, dated 12.04.1984, and G.O.(Ms)No.585 P & AR Department, dated 12.04.1984, within a specified time-frame.

2.The petitioners were directly recruited as Assistants through the Tamil Nadu Public Service Commission in the year 2011. The respondent/District Collector prepared the inter-se seniority list between the Directly Recruited Assistants and the Promotee Assistants appointed by promotion as on 01.01.2016 and published the same on 24.05.2016 stating that any person aggrieved over fixation of the inter-se seniority, may prefer his/her objections to the District collector, Virudhunagar District, Virudhunagar, within a period of 30 days through proper channel. In view of the same, the petitioners have preferred their objections to the respondent/District Collector, Virudhunagar, well within 30 days time. Since the respondent/District Collector, Virudhunagar District, has not passed any order, the petitioners have come to this Court.

3. Mr.M.Murugan, learned Government Advocate, takes notice for the respondents.

4. In a similar matter, viz., W.P(MD)No.11435 of 2016, vide order dated 27.06.2016, this Court has directed the Authority to consider and pass orders on the representations submitted by the petitioners therein on merits and in accordance with law, before finalizing the Seniority List of Assistants.

5. Following the same, the respondent/District Collector, Virudhunagar District, Virudhunagar, is hereby directed to consider and pass orders on the objection petitions, dated 04.07.2016, 05.07.2016 and 08.07.2016, submitted by the petitioners, before finalizing the seniority list.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The District Collector, Virudhunagar District, Virudhunagar.

+One cc to Mr.S.Visvalingam, Advocate, SR.No.44339

+One cc to The Special Government Pleader, SR.No.44431

skn

RL/4C/2P/AAL/MPA/9/9/2016

W.P(MD).No.14232 of 2016