

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2017

CORAM

THE HON'BLE Mr. HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
and

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.A.No.85 of 2017

and

C.M.P.No.1349 of 2017

1.R.C.Sivakumar
2.S.Prabu
3.A.Dakshinamoorthy
4.A.Jayachitra
5.M.Vani
6.T.Parkavi

... Appellants

Vs.

1.V.Kamaraj
2.R.Mala
3.K.Kathiravan
4.S.Nehru
5.R.G.Jamunarani
6.K.Malaravan
7.G.Muruganandam

8.The Government of Tamil Nadu
rep. by its Secretary,
Rural Development and Local
Administration Department,
Fort St. George, Chennai - 9.

9.The Director,
Rural Development,
Panagal Building,
Saidapet, Chennai -15.

10.The District Collector,
Office of the District Collector,
Tiruvarur.

.. Respondents

Appeal filed under Clause 15 of The Letters Patent against the order dated 21.12.2016 in W.M.P.No.24458 of 2016 in W.P.No.28342 of 2016. Petition filed under Article 226 of the Constitution of India praying

i. Issue a writ of Certiorarified Mandamus or any other appropriate writ or direction in the nature of such writ calling for the records on the file of the 3rd respondent in connection with his proceedings NA.Ka.No.2464 of 2016/A5 Development dated 15.07.2016 and quash the same in as far as the respondents 4 to 9 are concerned and consequently direct the 3rd respondent to include the petitioners 1 to 7 over and above the juniors the respondents 4-9 and consequently to grant promotion as Deputy Block Development officer prior to respondents 4 to 9 (in WP.28342/16).

ii. To stay the operation of the impugned panel in Na.Ka.No.2464/2016/A5 Development dated 15.07.2016 on the file of the 3rd respondent in as far as the respondent 4 to 9 are concerned in WMP.24458/16 pending disposal of the above writ petition 28342/16 respectively.

For Appellants : Mr.V.Suthakar

For Respondents : Ms.T.Ananthi
for R1 to R7

ORDER

(Order of the Court was made by THE ACTING CHIEF JUSTICE)

This writ appeal is directed against the interim order dated 21.12.2016 made in W.M.P.No.31484 of 2016 in W.M.P.No.24458 of 2016 in W.P.No.28342 of 2016.

2.The appellants/writ petitioners are initially appointed as Typists through the Tamil Nadu Public Service Commission against the vacancies notified for the year 2006. Respondents 1 to 7 are initially appointed as Junior Assistants even before the appointment of the appellants as Typists. The appellants were promoted as Assistants in the month of May, 2012 and respondents 1 to 7 were promoted as Assistants during the months of October - November, 2012. The appellants have completed one year term both in the category of Assistant and Rural Welfare Officer Grade I and they were included in the panel for promotion to the post of Deputy Block Development Officer as per the proceedings dated 15.07.2016. Since respondents 1 to 7 have not completed one year period in the post of Rural Welfare Officer

Grade I, they were not included in the said panel. Aggrieved by the same, respondents 1 to 7 have filed a writ petition in W.P.No.28342 of 2016. By order dated 12.08.2016, the learned single Judge was pleased to grant an order of interim stay of the operation of the panel dated 15.07.2016. Against which, the appellants herein have filed a vacate stay petition. By order dated 21.12.2016, the interim stay was extended till the next date of hearing of the writ petition i.e. on 08.03.2017. Aggrieved by the same, the present appeal has been filed.

3.Heard the learned counsel appearing for the appellant and the learned counsel appearing for respondents 1 to 7.

4.The main writ petition itself was directed to be listed for hearing on 08.03.2017. Therefore, it is for the appellants to raise all their contentions before the learned single Judge for early disposal of the writ petition by placing all material documents for consideration.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Secretary to Government,
Rural Development and Local
Administration Department,
Fort St. George, Chennai - 9.
2. The Director,
Rural Development,
Panagal Building, Saidapet, Chennai -15.
3. The District Collector,
Office of the District Collector,
Tiruvarur.

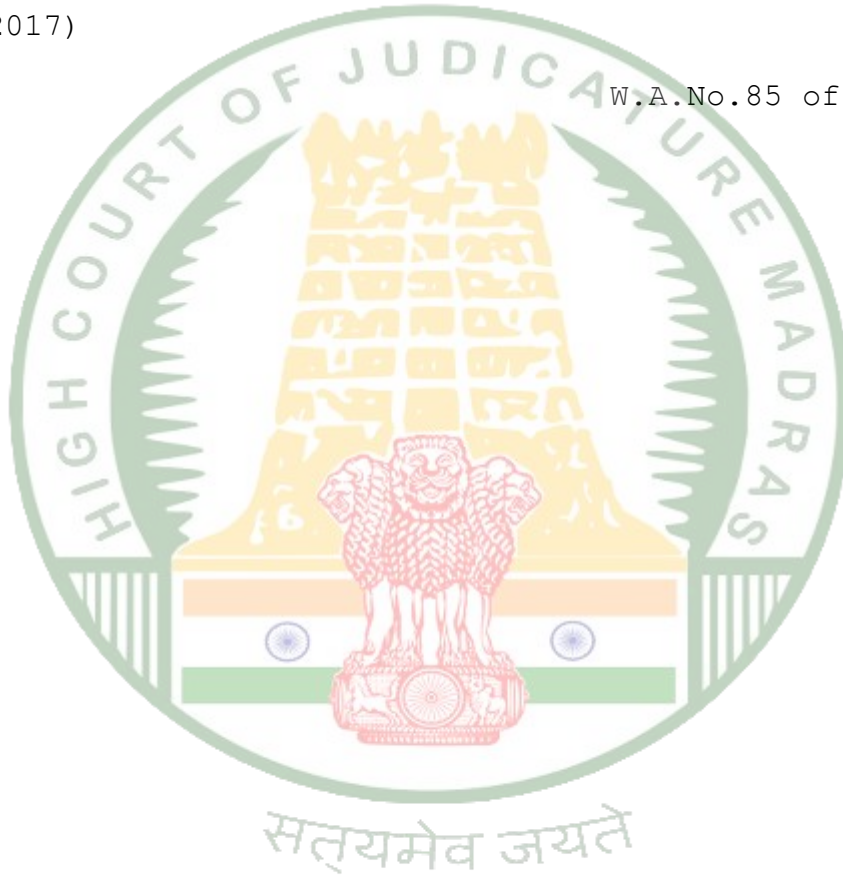
Copy to

The Section Officer,
Writ Section,
High Court, Madras.

+1cc to Mr.Ananthi, Advocate, S.R.No.13302
+1cc to Mr.Suthakar, Advocate, S.R.No.13427
+1cc to the Government Pleader, S.R.No.13719

MP (CO)
RS (16/03/2017)

W.A.No.85 of 2017



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