

**THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN**

**AND**

**THE HON'BLE SRI JUSTICE M.GANGA RAO**

**WRIT PETITION No.13075 of 2007**

**ORDER:** *(Per VRS,J)*

The petitioner has come up with the above writ petition challenging a seniority list of the year 1988.

2. Heard Mr.T.Damodar, learned counsel for the petitioner, and Mr.Sri Ram, learned counsel appearing for the Registry.

3. The petitioner was originally appointed as a Copyist in the year 1977. She was promoted as Telugu Typist on 27.04.1985. The second respondent herein, who was junior to the petitioner in the post of Copyist, gained promotion to the post of Telugu Typist earlier than the petitioner, overlooking the claim of the petitioner.

4. As a consequence of the second respondent securing a march over and above the petitioner, the name of the second respondent was shown in a seniority list dated 06.05.1988 over and above the petitioner herein.

5. According to the petitioner, the seniority list dated 06.05.1988 was not communicated to her. However, a subsequent seniority list dated 02.03.1994 was communicated to the petitioner and the petitioner filed her objections to the said seniority list on 07.03.1994.

6. After making objections to the seniority list dated 02.03.1994, the petitioner kept quiet for about 8 years. After orders of upgradation were issued on 24.02.2002, the petitioner

came up with a writ petition in W.P.No.20021 of 2003. Even in the said writ petition, what was challenged by the petitioner was only the promotion granted to respondents 2 to 9 and not the seniority. Therefore, the said writ petition was dismissed, however, with liberty to the petitioner to challenge the seniority list.

7. On the basis of the said liberty, the petitioner has come up with the above writ petition.

8. As pointed out earlier, the first seniority list by which the petitioner was shown as junior to the second respondent, was dated 06.05.1988. Let us take it that this seniority list was not communicated to the petitioner.

9. But even admittedly the next seniority list dated 02.03.1994 was communicated to the petitioner and the petitioner filed her objections. Thereafter, the petitioner did not choose to come to Court up to the year 2003. Even in the year 2003 what was challenged by the petitioner was only the promotion granted to the respondents and not the seniority.

10. Therefore, the above writ petition filed in the year 2007 challenging a seniority list of the year 1988 is hopelessly barred by delay and laches. It is well settled that in matters relating to seniority, settled position should not be unsettled, as one cannot unscramble scrambled eggs. The petitioner has also now retired from service peacefully. Therefore, it is better not to exhume the ghost of seniority from its grave. Hence, the Writ Petition is dismissed.

11. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand dismissed. No order as to costs.

---

**V. RAMASUBRAMANIAN, J**

---

**M.GANGA RAO, J**

2<sup>nd</sup> November, 2017  
sur

