

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.A.No.1710 of 2013
and
M.P.No.1 of 2013

1.The Secretary to Government,
Labour and Employment Department,
Fort St. George, Chennai - 9.

2.The Director of Employment and
Training, Guindy, Chennai - 32.

... Appellants

Vs

1.S.Venkatachalam
2.C.L.Rajeswari
3.M.Prasanna
4.G.Valarmathi
5.R.Kandasamy
6.K.N.Ramila
7.T.S.Anandavalli
8.Santhi Lakitha Bai T.
9.Jemina
10.D.Janet Inbarani
11.K.Neela
12.M.Lalitha Sathyamoorthy
13.M.Parameswari
14.L.Christy Yogasundari
15.D.Panneer Selvam
16.D.Kanchana
17.L.Saroja
18.R.Mohana
19.M.Ponni
20.S.M.Selvaraj

.. Respondents

Appeal preferred under Clause XV of Letters Patent against
the order dated 30.06.2011 made in W.P.No.15335 of 2010.

Prayer in W.P.No.15335 of 2010:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to re-fix the seniority of all the petitioners in the cadre of Assistant based on the combined inter-se seniority list in the cadre of Junior Assistant/Typist/Steno-Typist as per Rule 35(a) of the Tamil Nadu State and Subordinate Service Rules and consequently promote all the petitioners to the post of Assistant and Junior Employment Officer retrospectively with effect from the date on which their juniors in the combined seniority list was promoted with all monetary and consequential service benefits within a stipulated period.

For Appellants .. Ms.A.Sri Jayanthi,
Spl. Govt. Pleader

For Respondents ... Ms.Sasikala Subramaniam

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is directed against the order dated 30.06.2011 made in W.P.No.15335 of 2010.

2.When the matter is taken up for hearing, learned counsel appearing for the respondents submits that the issue involved in the appeal is covered by the decision of the Division Bench in W.A.No.235 of 2012 etc., batch dated 03.02.2014, in which, the following order was passed:

"10.In the result, the impugned orders, dated 30.06.2011 and 29.03.2011 are set aside and the matter is remanded to the learned single Judge for fresh consideration.

11.We direct the respondents/writ petitioners to implead the affected parties, as respondents in the writ petitions forthwith.

12.The Registry is directed to post the writ petitions as per the roster during second week of February, 2014. It is open to the writ petitioners to make a mention before the learned single judge for an early disposal of the writ petitions.

13.The writ appeals are allowed to the extent indicated above. No costs. Consequently, connected

miscellaneous petitions are closed."

3.In such view of the matter, the order dated 30.06.2011 made in W.P.No.15335 of 2010 stands set aside and the matter is remanded to the learned single Judge for fresh consideration. The writ appeal stands disposed of in the very same terms as that of W.A.No.235 of 2012 etc., batch dated 03.02.2014. Accordingly, the Registry is directed to post W.P.No.15335 of 2010 before the learned single Judge along with the connected matters. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Secretary to Government,
Labour and Employment Department,
Fort St. George, Chennai - 9.

2.The Director of Employment and
Training, Guindy, Chennai - 32.

+1 cc to The Government Pleader, Sr.No.86673

Copy To:

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

सत्यमेव जयते

W.A.No.1710 of 2013

MG (CO)
CSL/21.01.2019

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