

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.26158 to 26160 of 2004

1. C.Arumugam ...WP.26158/04
2. S.Gomathi ...WP.26160/04
3. G.Siva Parvathi ...WP.26159/04  
... Petitioners

vs.

1. The Director of Elementary Education,  
Chennai - 600 006.
  2. The District Elementary Educational Officer,  
Namakkal, Namakkal District.
  3. The Assistant Elementary Educational Officer,  
Namakkal, Namakkal District.
- ... Respondents  
(for all 3 writ petitions)

Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus directing the first respondent to consider the petitioner's Appeal dated 14.08.2004 with regard to the fixation of seniority of Secondary Grade Teachers in Namakkal Panchayat Union in the light of Rule 35(f) of the Tamil Nadu State and Subordinate Services General Rules.

For Petitioners : Mr.P.Manoj Kumar (all Wps)

For Respondents: Mr.A. Rajaperumal

Addl. Government Pleader (all Wps)

COMMON ORDER

The learned counsel appearing on behalf of the writ petitioners states that, the prayer in the writ petitions are to consider the representations submitted by the writ petitioners to redress their grievances regarding the fixation of seniority.

2. Though the writ petitioners had submitted an appeal to the first respondent on 14.08.2004, no reply has been given to them. The learned counsel for the respondent states that the writ petitioners have already attained the age of superannuation and retired from services and therefore their representations need not be considered.

3. This Court is of an opinion that the revision of seniority may lead to retrospective fixation of seniority which may provide benefits in the promotional aspects and the learned counsel for the petitioners also states that in the event of re-fixation of the seniority of the writ petitioners, it may provide some retrospective benefits including monetary benefits.

4. In this view of the matter, the first respondent is directed to consider the appeal submitted by the writ petitioners on 14.08.2004 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5. Writ petitioners are directed to enclose a copy of the appeal and other relevant documents along with the order passed in this writ petition. Accordingly, the writ petitions stands disposed of. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pkn

To

1. The Director of Elementary Education,  
Chennai - 600 006.

2. The District Elementary Educational Officer,  
Namakkal, Namakkal District.

3. The Assistant Elementary Educational Officer,  
Namakkal, Namakkal District.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.81500

+1cc to the Government Pleader, S.R.No.81394

W.P.Nos.26158 to 26160 of 2004

RK(CO)

GSP(24/12/2018)