

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.4.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.538 of 2018

1. M.Sundarambal

2. C.Thangamani

Appellants

Versus

1 The Director
Office of the Adi-Dravidar and Tribal Welfare
Chepauk Chennai-600 005

2 The District Adi-Dravidar
Welfare Officer Office of the District
Adi-Dravidar Welfare Officer
Collectorate Erode District

Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters
Patent against the order dated 8.2.2018 passed in W.P.No.2753 of
2018 on the file of this court.

PRAYER IN W.P.No.2753 of 2018:

Writ of Mandamus directing the second respondent to give
promotion to the petitioners as office Assistants in Second
Respondents office.

For appellants : Mr.C.Neethimozhi

For respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ appeal has been filed by the writ petitioners
challenging the correctness of the order passed by the learned
Single Judge in dismissing the writ petition filed by them
seeking a mandamus to the second respondent to give promotion to
the petitioners as Office Assistants in the second respondent's
office.

3. The grievance of the appellants is that they are seniors to other candidates and they had passed VIII standard whereas various other candidates, who had not passed VIII standard are being selected for the post of Office Assistant.

4. On the other hand, the learned Special Government Pleader by producing a copy of the letter dated 13.4.2018 addressed to him issued by the Department concerned, would contend that the appellants viz., M.Sundarambal and C.Thangamani are at Serial Numbers 3 and 30 in seniority and certain other candidates, however are at serial Numbers above 3, they possess higher qualifications, all the candidates would be considered for promotion in the future vacancies, as per the prevalent rules and in such course of action, the first appellant M.Sundarambal would be considered first and the second appellant C.Thangamani would be considered at a later point of time and further, there is no vacancy right now.

5. In view of the above submission with regard to the factual position, we do not find any reason to interfere with the order passed by the learned Single Judge. The writ appeal is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1 The Director
Office of the Adi-Dravidar and Tribal Welfare
Chepauk Chennai-600 005

2 The District Adi-Dravidar
Welfare Officer Office of the District
Adi-Dravidar Welfare Officer
Collectorate Erode District

+2cc to Mr.C.NEETHIMOZHI, Advocate, S.R.No. 27948

+1cc to the Government Pleader, S.R.No. 28441

W.A.No.538 of 2018

RK (CO)
TR (15/05/2018)