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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON	:	03.12.2019
DELIVERED ON	:	19 .12.2019

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.15434 of 2017

1.R.Thenmozhi-I
2.N.Kanagavalli
3.G.Dhandapani
4.K.Anitha
5.E.Vijaya Shankar
6.V.Vijayalakshmi
7.G.Rajeswari
8.D.Jeyachitra
9.B.Wilson
10.D.Periyasamy
11.Jayalakshmi Kannan
12.G.K.Geetha
13.T.S.Harikrishnan
14.A.Chandrasekaran
15.B.Parimala
16.N.Tamilselvan
17.A.Rasitha
18.N.Kalaivani
19.G.Premalatha

.. Petitioners

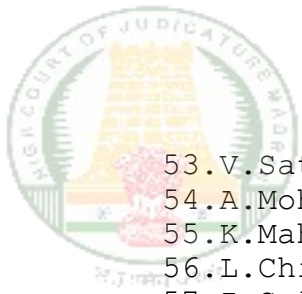
v.

1.High Court of Judicature at Madras,
rep. by the Registrar General,
High Court, Chennai-600 104.

2.A.Parthiban
3.S.Danalakshmi
4.S.Rajsekaran
5.K.Arumugachander



- 6.C.Saraswathi
- 7.S.Revathy
- 8.K.S.Janani
- 9.R.Padmavathy
- 10.T.Naga Sanjeeva Rao
- 11.A.Amco Kalaimarasi
- 12.N.Valavan
- 13.N.Anurekha Jayasankar
- 14.S.Sumathi
- 15.R.Pushpalatha
- 16.S.T.Adideshan
- 17.N.Rangarajan
- 18.R.Kavitha
- 19.S.Ramakrishnan
- 20.R.Srinivasan
- 21.R.Saravanakumar
- 22.S.Geetha
- 23.S.Kalavathy
- 24.C.Karthikeyan
- 25.D.Brindhavanam
- 26.G.Madhusudhana Reddy
- 27.P.C.Annapoorani
- 28.V.Rajameenakshi
- 29.M.Jayamani
- 30.R.Arunraja
- 31.M.Mohanasundaram
- 32.G.Meena
- 33.S.Eswari
- 34.N.Umadevi
- 35.V.Bama
- 36.K.Vanitha
- 37.G.Shiela
- 38.K.Somasundaram
- 39.J.Vasanthi
- 40.P.Kannagi
- 41.K.V.Dimple
- 42.V.Venkatasubramaniyan
- 43.K.Gopinath
- 44.S.Nagamuthu
- 45.G.Laxmi
- 46.P.Shakila
- 47.B.Dhamodaran
- 48.M.B.Rani Chandra
- 49.Lakshmi Nunna
- 50.S.Rajsekar
- 51.B.Ananda Ramakrishnan
- 52.I.Jebakani



53.V.Satheesh
54.A.Mohan
55.K.Mahalakshmi
56.L.Chithra
57.I.Sylvia Punitha Kumari
58.S.Jothilakshmi
59.S.Vijayalakshmi
60.C.Kathika-I
61.Syedahumera
62.T.Ravikumar
63.P.Veerachinnammal
64.M.S.Kajal Beevi
65.s.Meenakchi Sundaram
66.R.M.Visuwanathan
67.S.Prabha Devi
68.M.Suresh Venkatesan
69.S.Somasundaram
70.R.Anuradha
71.K.Thanga Thandapani
72.B.Poornima
73.R.Nallasamy
74.S.Jegan
75.L.Saravana Kannan
76.M.Thangapriya
77.G.Venkatesh Babu
78.K.Robin Rajkumar
79.Anurekha Jeyasankar
80.R.Srinivasan
81.M.A.Saraswathi
82.V.Ragupathyraja

.. Respondents

(Respondent Nos.2 to 90 impleaded as per order dated 5.10.2017 in WMP.No.27300 of 2017 in W.P.No.15434 of 2017)

(Respondent Nos.36, 39, 70 to 75,87 and 88 deleted as per the order of the Court dated 02.11.2017)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to revise the seniority list of Assistant Section Officers published vide a circular bearing ROC No.24/2014-Con-B2/Estt-I dated 28.11.2014 by preparing the combined seniority list Copyists/Typists/Readers/Examiners as on 1.12.2001 and the consequential seniority list of Assistants on the basis of correct principle of seniority.



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For Petitioners

: Mr.M.Radhakrishnan

For Respondents

: Mr.B.Vijay
for respondent No.1

Mr.AR.L.Sundaresan
Senior Counsel
for M/s.AL.Gandhimathi
for respondent Nos.28 to 33,
80 and 90

ORDER

HON'BLE CHIEF JUSTICE

This writ petition has been filed praying for issuing a revised combined seniority list of Copyists/Typists/Readers/Examiners as on 01.12.2001 on the ground that these posts have been merged and they should have common seniority, more so, keeping in view all the reasons that have been stated in the writ petition filed by the petitioners being W.P.No.7163 of 2017.

2. The issue of re-opening of seniority and preparation of combined seniority list may not arise now in view of the reasons given by us while dismissing W.P.No.7163 of 2017 and for the additional reason that the combined seniority list on the basis of merger with effect from 2001 would be unlawful, inasmuch as there was no merger in the year 2001 and category wise seniority was distributed separately under the then existing Rules. The merger made later on therefore cannot in any way govern the placement or seniority in the original cadre of Copyists/Typists/Readers/Examiners that continued with the promotion of the petitioners later on as Assistants and then as Assistant Section Officers. Accordingly, the list of seniority dated 28.11.2014 indicating seniority in the cadre of Assistant Section Officers now cannot be questioned for all the reasons stated hereinabove. This writ petition is devoid of merits, which is, accordingly, rejected. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



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To:

The Registrar General,
High Court of Judicature at Madras,
Chennai-600 104.

+1cc to Mr.M.Radhakrishnan, Advocate sr.106357

W.P.No.15434 of 2017

vsnii(co)
nr 23/01/2020