



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.A.No.4284 of 2019

M.Ravi .. Appellant/ Petitioner/ 5th respondent
-vs-

1. D. Soundararajapandian
2. The State of Tamil Nadu
rep by its Secretary,
Commercial Tax and Registration Department,
Fort St. George, Chennai - 600 009.
3. The Principal Secretary / Commissioner of
Commercial Taxes,
Ezhilagam, Chepauk, Chennai - 600 005.
4. The Additional Chief Secretary,
(Chairman of High Level Committee Constituted
under G.O.(D) No.132 dated 31.3.2018
Finance Department,
Fort St. George, Chennai - 600 0009
5. The Secretary (Member in the High Level
Committee Constituted under G.O.(D)
No.132 dated 31.3.2018
Personnel and Administration Department
Fort St. George, Chennai - 600 009
..... Respondents/ Respondents/ Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order passed in W.M.P.No.33302 of 2019 in W.P.No.9257 of 2018 dated 27.11.2019.

Prayer in W.M.P.No.33302 of 2019:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Clarify the Common Order dated 24.09.2019 in WP Nos. 9257 9258 and 9326 of 2018 and thereby direct the delinking of the unconnected matters.



Prayer in W.P.No.9257 of 2018:

Writ Petition filed under Article 226 of the Constitution of India Praying for issuance of a Writ of Mandamus forbearing the respondents from in any manner lowering the seniority of the petitioner or disturbing the seniority positions published upto the post of Joint Commissioner in various G.Os including G.O. Ms. No. 139 issued by CT & R (E2) Department dated 02.11.2012. G.O. (Ms). NO. 005 issued by CT & R (E2) Department dated 12.01.2015 or to effect any panels for promotion ignoring such seniority.

For appellant : Mr.N.L Rajah
Senior Counsel for
M/s Dakshayani Reddy

For respondents 2 to 5:Mr.Mohammed Shafeeq
Special Govt. Pleader (T)

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard Sri.N.L.Rajah, learned Senior Counsel for the appellant and Sri.Mohammed Shafeeq, learned Special Government Pleader appearing on behalf of the respondent State.

2. The appeal under clause-15 of the Letters Patent has been preferred against the order, whereby, the learned Single Judge has declined to de-link the appellant's writ petition for being heard on the ground that the matter appears to be connected with the other matters, relating to dispute of seniority.

3. Learned counsel for the appellant contends that this is not a matter which is connected with other matters and therefore, the disinclination by the learned Single Judge to de-link the appellant's writ petition is not justified.

4. In our considered opinion, the order passed by the learned Single Judge will not fall within the definition of judgment for this appeal to be maintainable and in view of the joint request made by the parties that they may be permitted to make a mention before the learned Single Judge for an early hearing of the matter, we observe that the Registrar-Judicial shall get the matter listed before the Roster Bench pertaining to the subject matter subject to the convenience of the learned Single Judge.



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5. With the above observation, the writ appeal is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sr
To

1. The Secretary, State of Tamil Nadu
Commercial Tax and Registration Department,
Fort St. George, Chennai - 600 009.
2. The Principal Secretary / Commissioner of
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No.132 dated 31.3.2018
Personnel and Administration Department
Fort St. George, Chennai - 600 009
5. The Registrar-Judicial,
High Court, Madras.

+1cc to M/s Dakshayani Reddy , Advocate SR.No. 106193
W.A.No.4284 of 2019

A.SK(20/12/2019)