



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) Nos.25355 to 25360 of 2018

and

**WMP (MD) Nos.2109 to 2113,
22951 to 22956 and 2163 of 2018**

WEB COPY

V.Veerathilagam	...	Petitioner in WP (MD).No.25355 of 2018
M.Rajeswari	...	Petitioner in WP (MD).No.25356 of 2018
R.Arul Selvi	...	Petitioner in WP (MD).No.25357 of 2018
J.Karthiyayini	...	Petitioner in WP (MD).No.25358 of 2018
S.Arockiya Celestina Metilda	...	Petitioner in WP (MD).No.25359 of 2018
K.Cecilia Nimmie	...	Petitioner in WP (MD).No.25360 of 2018

Vs.

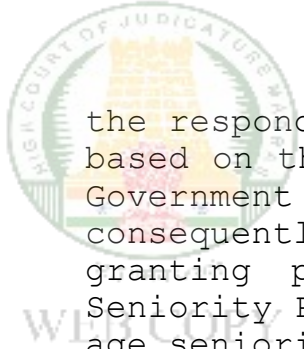
1.The Vice Chancellor,
Mother Teresa University,
Kodaikanal,
Dindigul District - 624 101.

2. Mother Teresa University,
Represented by its Registrar,
Kodaikanal,
Dindigul District - 624 101. ... Respondents in all cases

COMMON PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying theis Court to issue a Writ of Mandamus, directing the respondents to grant promotion to the petitioner to the Post of Assistant on the basis of the petitioner's age seniority as per the Section 40(2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and consequently for a direction, forbearing the respondents from granting promotion to anyone to the post of Assistant without drawing the Seniority Panel among the eligible Junior Assistants on the basis of age seniority.

For Petitioner : Mr.T.Lajapathi Roy
(in all cases)

For Respondents : Mr.EVN.Siva
(in all cases)



the respondents to grant promotion to the petitioners as Assistants, based on their age seniority as per Section 40(2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and consequently for a direction, forbearing the respondents from granting promotion to anyone as Assistant without drawing the Seniority Panel among the eligible Junior Assistants on the basis of age seniority.

2.The grievance of the petitioners is that the respondents have not prepared the seniority list among the Junior Assistants, who are eligible for promotion to the post of Assistant and hence, the petitioners are deprived of opportunity to express their objections / grievances, when any of their juniors is promoted. Therefore, seeking appropriate directions to the respondents qua their grievance, the petitioners are before this Court.

3.The learned Counsel appearing for the respondents submitted that the petitioners have already submitted their objections and the same will be considered during the preparation of the panel list. Such submission is also agreed by the learned Counsel for the petitioners.

4.Under such facts and circumstances of the case and also having regard to the submissions made by the learned Counsel on either side, the respondents are directed to prepare the panel list for promotion to the post of Assistant, on merits and in accordance with law and also taking into account the objections filed by the petitioners. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5.These writ petitions are disposed of, on the above terms. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (WRIT)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Vice Chancellor,
Mother Teresa University,
Kodaikanal,
Dindigul District - 624 101.



2.The Registrar,
Mother Teresa University,
Kodaikanal,
Dindigul District - 624 101.

6 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-56056[F] dated
22/03/2019)

+6 CC to Mr.E.V.N.SIVA, Advocate (SR-56088[F] dated 22/03/2019)

WP (MD) No.25355 to 25360 of 2018
20.03.2019

dsk

AE (25.04.2019) 3P 15C