

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. 17353 of 2007
(O.A.No.2497 of 2003)

D.Jeyaraj

...Petitioner

Versus

1.The Director of Public Health
and Preventive Medicine,
Chennai.

2.The Secretary,
Health Department,
Government of Tamilnadu,
Fort St.George, Chennai-9.

...Respondents

PRAYER: Originally this petition has been filed as Original Application No.2497 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.No.17353 of 2007.

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus seeking for direction to the respondents to fix the seniority of the petitioner in the post of Health Inspector Grade-I in the appropriate place over his immediate junior and pay arrears of wages from the date of promotion of his junior on a basic pay of Rs.1600/- from 1.2.1989.

For Petitioner : No appearance

For Respondents : Mr.P.Chinnadurai

Additional Government Pleader

WEB COPY
O R D E R

Originally the petitioner filed Original Application in O.A.No.2497 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and renumbered as W.P.No.17353 of 2007.

2. Writ petition has been filed seeking for direction to the respondents to fix the seniority of the petitioner in the post of Health Inspector Grade-I in the appropriate place over his immediate junior and pay arrears of wages from the date of promotion of his junior on a basic pay of Rs.1600/- from 1.2.1989.

3. There is no representation for the petitioner.

4. It is stated in the affidavit filed in the Writ Petition that the petitioner was promoted as Health Inspector Grade-I on 13.10.89 whereas his juniors were promoted in February and March 1989. He ought to have been promoted earlier, even in February 1989 when his junior P.Ramasamy was promoted on 1.2.89.

5. But in this case, though the petitioner seeks relief of placing him above his junior P.Ramasamy, the promotion list for Grade-I for the year 1995 in Serial No.1328, the petitioner name was found and his immediate junior name was shown in serial No.1331 and is only below the petitioner.

6. The contention of the petitioner in this writ petition is not only that his name should be above his junior name Ramasamy; even in the typeset filed by the petitioner, the petitioner name is shown in the serial No.255 whereas his junior Ramamsamy name found in the serial No.283. Therefore contention of the petitioner is not acceptable since his Junior name is not found above the name of the petitioner. The petitioner name is only found above the said Ramasamy. Therefore, there is no merit in the Writ Petition and it is liable to be dismissed.

7. The learned Additional Public Prosecutor would submit that in the typeset filed by the Director of Public Health and Preventive Medicine, Chennai-600 006 containing Proceedings dated 25.10.2013, petitioner's name is found in Sl.No.1328 and P.Ramasamy name found in Sl.No.1331 and it is clearly seen that Ramasamy is junior and below the petitioner.

8. Under these circumstances there is no merit in the Writ Petition and this Writ Petition is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mpa

To

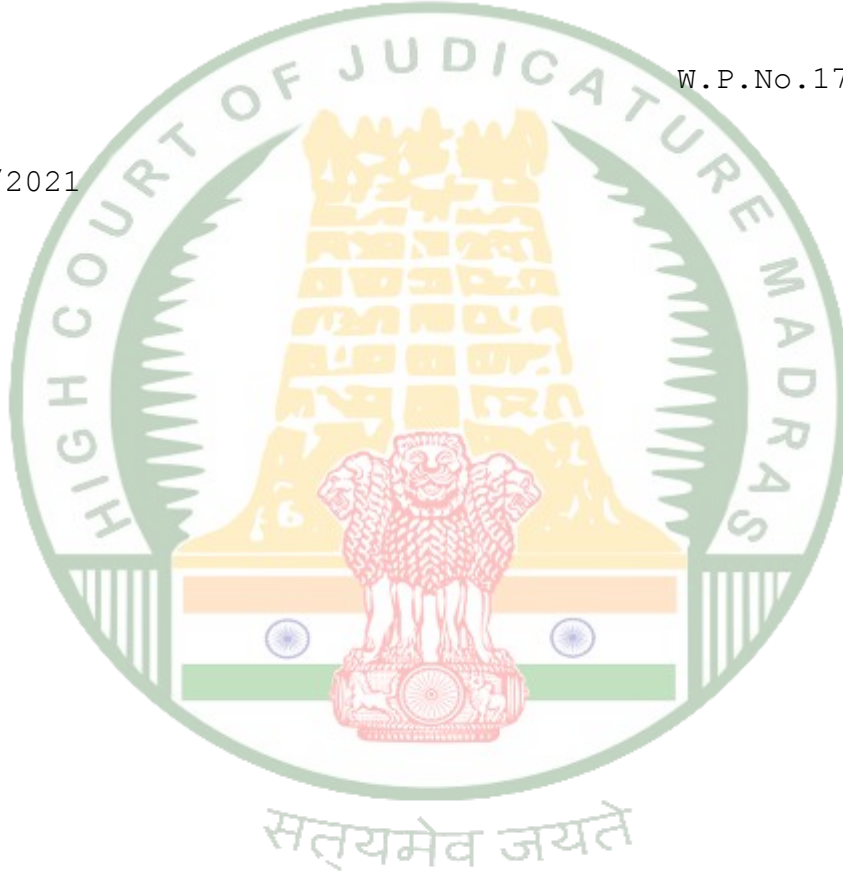
1.The Director of Public Health
and Preventive Medicine,
Chennai.

2.The Secretary,
Health Department,
Government of Tamilnadu,
Fort St.George, Chennai-9.

+1cc to the Government Pleader, S.R.No.38244

W.P.No.17353 of 2007

EV(CO)
KKV/05/01/2021



WEB COPY