



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)Nos.14376 of 2012, 7070 to 7072 of 2013

and

M.P. (MD)No.3 of 2012 and

M.P. (MD)Nos.1,1 and 2 of 2013

and W.M.P. (MD)Nos.1703 to 1705 of 2016

WEB COPY

W.P. (MD)No.14376 of 2012

1. M.Saravanan
2. V.Prince Rajendran Vijayakumar ... Petitioners

Vs.

1. The Secretary to the Government,
Municipal Administration and
Water and Sewage Supply,
Fort St.George, Chennai
2. The Commissioner,
Municipal Administration,
Chepauk, Chennai.
3. The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi
4. A.Ramachandran,
5. G.Kanthimathi,
6. A.Nagarajan
7. E.Arumugam,

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the third Respondent in E2/13135/2012 dated 14.09.2012 and the orders passed by the third Respondent in Na.Ka.No.E2/13135/2012 dated 31.10.2012 and quash the same and consequently direct the respondents 1 to 3 herein to publish the fresh seniority list of the petitioners and respondents 4 to 7 as per the Service Rules and conditions published by the first respondent/ Government in G.O. Ms. No. 237, dated 26.09.1996 and consequently direct the respondents 1 to 3 to consider the petitioners for promotion to the post of Assistant Executive Engineer in the third Respondent Corporation with all monetary benefits and attendant benefits.



WEB COPY

For Petitioners : Mr.C.Jeganathan
For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
for R1 and R2
: Mr.S.Saji Bino for R3
: Mr.J.Ashok
for Jeyapaul Associates for R4,R5 to R7
R6 - No appearance

W.P. (MD)No.7070 of 2013

A.Ramachandran

... Petitioner

Vs.

1. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai - 600 009.

2. The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the Commissioner, Thoothukudi City Municipal Corporation, Thoothukudi, the second respondent herein made in E2/13135/2012, dated 08.04.2013, quash the same and direct the second respondent herein to continue to pay the scale of the post of Assistant Engineer being held by the petitioner with all consequential service, attendant and monetary benefits.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
for R1
: Mr.S.Saji Bino for R2

W.P. (MD)No.7071 of 2013

G.Kanthimathy

... Petitioner

Vs.

1. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai - 600 009.



2. The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the Commissioner, Thoothukudi City Municipal Corporation, Thoothukudi, the second respondent herein made in E2/13135/2012, dated 08.04.2013, quash the same and direct the second respondent herein to continue to pay the scale of the post Assistant Engineer being held by the petitioner with all consequential service, attendant and monetary benefits.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
for R1
: Mr.S.Saji Bino for R2

W.P. (MD) No.7072 of 2013

E.Arumugam

... Petitioner

Vs.

1. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.

2. The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the Commissioner, Thoothukudi City Municipal Corporation, Thoothukudi, the second respondent herein made in E2/13135/2012, dated 08.04.2013, quash the same and direct the second respondent herein to continue to pay the scale of the post of Junior Engineer being held by the petitioner with all consequential service, attendant and monetary benefits.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
for R1
: Mr.S.Saji Bino for R2



COMMON ORDER

Learned Counsel appearing on behalf of the writ petitioners made a submission that during the pendency of the writ petitions, the authorities concerned had undertaken the process of reconsideration and revised seniority list was issued and the grievances of the writ petitioners were also redressed.

2. Learned Counsel appearing on behalf of the respondent Corporation also made a submission that all the seniority of the petitioners were reconsidered and they were accommodated in the appropriate places and promotions were also granted to these petitioners in the available posts.

3. Learned Counsel appearing on behalf of the Corporation further reiterated that the revised seniority list was published on 05.04.2013 and the said list was challenged by way of filing writ petition in W.P.No.5932 of 2013 and the said writ petition was withdrawn. Thereafter, the case of all the persons were considered and eligible persons were granted promotions to various categories.

4. This being the submission made by the learned Counsel appearing on behalf of Thoothukudi City Municipal Corporation, this Court is of the considered opinion that if at all any other grievances exist for the petitioners, they are at liberty to approach the competent authorities. However, the cause arose for filing the writ petitions did not exist as the seniority of the persons were reconsidered, refixed and promotions were also granted to the eligible candidates. Thus all these writ petitions stand disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SSL

To

1. The Secretary to the Government,
Municipal Administration and
Water and Sewage Supply,
Fort St.George, Chennai

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Commissioner,
Municipal Administration,
Chepauk, Chennai.

3. The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.

+1 CC to Mr.C. JEGANATHAN, Advocate (SR-20278[F] dated 16/10/2020)

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-75098[F] dated
12/07/2019)

+1CC to SPL GP SR.No.20469

+3cc to Mr.K.Rajkumar, Advocate Sr.No.20369,20371,20370

W.P. (MD)Nos.14376 of 2012, 7070, to 7072 of 2013
and

M.P. (MD)No.3 of 2012 and

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15.10.2020

VB (05.11.2020) 5P 10C