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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.10.2020
CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.14714 of 2012

S.Chandrabose ... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Though its Secretary,
Higher Education Department,
Fort St. George, Chennai.

2.The Director,
Directorate of Collegiate Education,
College Road, Chennai-600 006.

3.The Joint Director of Collegiate Education,
(Development and Planning), Chennai-600 006.

4.The Regional Joint Director of Collegiate Education,
Tirunelveli, Tirunelveli District.

5.L.Vivekanandan,
Assistant,
Government Arts College for Women,
Kumbakonam, Thanjavur District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to refix the seniority of the petitioner immediately next to the fifth respondent by advancing the date of promotion to the post of Typist from 11.10.2003 to 01.02.2002 and the date of promotion to the post of Assistant from 08.05.2007 to 27.07.2005 within the time stipulated by this Court and consequently to consider the petitioner for promotion to the post of Superintendent on par with the fifth respondent.

For Petitioner : Mr.G.Karthik
for Mr.T.Lajapathi Roy

For R1 to R4 : Mr.D.Muruganantham
Additional Government Pleader

For R5 : No Appearance

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ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to refix the seniority of the writ petitioner. The writ petitioner has submitted a representation on 01.10.2012 to refix his seniority by placing his name above the fifth respondent.

2.Promotion *per se* cannot be claimed as a matter of right. However, revision of seniority and consideration can be claimed as a right. In view of the fact that the request of the writ petitioner for revision of seniority is yet to be considered, the writ petitioner is permitted to submit a fresh representation along with the copy of the earlier representation and the documents to the third respondent. On receipt of the same, the third respondent is directed to consider and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

3.With these directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Secretary,
Government of Tamil Nadu,
Higher Education Department, Fort St. George, Chennai.

2.The Director,
Directorate of Collegiate Education,
College Road, Chennai-600 006.

3.The Joint Director of Collegiate Education,
(Development and Planning), Chennai-600 006.

4.The Regional Joint Director of Collegiate Education,
Tirunelveli, Tirunelveli District.

+1 CC to M/s.Special Govt.Pleader (SR-19431[F] dated 08/10/2020)
+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-19457[F] dated 08/10/2020)

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SDS (16.10.2020) 2P-7C

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