



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

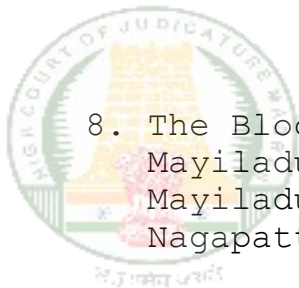
W.P. (MD)Nos.10655, 10699 and 10700 of 2015

WEB COPY

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|-----------------|--|
| 1.A.Kamala | ... Petitioner in W.P(MD) .No.10655/2015 |
| 2.P.Chinnammal | ... Petitioner in W.P(MD) .No.10699/2015 |
| 3.S.Rajalakshmi | ... Petitioner in W.P(MD) .No.10700/2015 |

Vs.

1. The State of Tamil nadu,
Represented by its Principal Secretary,
Department of Social Welfare and
Nutritious Meal Programme,
St.George Fort, Chennai.
2. The State of Tamil Nadu,
Represented by its Secretary,
Department of Social Welfare and
Nutritious Meal Programme
St.George Fort, Chennai.
3. The Director,
Social Welfare Department,
No.58/70, Arunachala Street,
Adikesavapuram,
Chintadripet, Chennai-2.
4. The District Collector,
Tanjore District,
Tanjore.
: Respondents 1 to 4 in all Wps.
5. The District Social Welfare Officer,
District Social Welfare Office,
Tanjore,
Tanjore District. : 5th Respondent in W.P(MD)10655 & 10699/2015
and 6th Respondent in W.P(MD)10700/2015
6. The District Collector,
Nagapattinam District,
Nagapattinam. : 5th Respondent in W.P(MD)10700/2015
7. The District Social Welfare Officer,
District Social Welfare Office,
Nagapattinam,
Nagapattinam District.



8. The Block Development Officer,
Mayiladuthurai Panchayat Union,
Mayiladuthurai,
Nagapattinam District.

9. The Block Development Officer,
Orathanadu Panchayat Union,
Orathanadu,
Tanjore District.

... Respondents 7 to 9 in
W.P(MD).No.10700 of 2015

COMMON PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to refix the petitioner's promotion along with seniority prior to the date of Ambika's seniority dated 28.11.2006 and pay all monetary benefits in the petitioner's hands, in view of the 3rd respondent's order செ.மு.ந.க.எண் .4411/நிர்.3(4)/2012 dated 23.05.2013 within a stipulated period fixed by this Court.

For Petitioners in
all W.Ps : Mr.S.M.Anantha Murugan

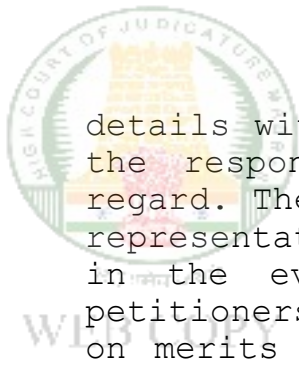
For Respondents : Mr.G.Arjunan
in W.Ps Government Advocate

COMMON ORDER

The claim of the writ petitioners is to grant notional promotion and grant monetary benefits, based on the promotional benefit granted to her junior Smt.Ambika.

2.The learned counsel appearing on behalf of the writ petitioners made a submission that pursuant to the order of this Court, the Director of Social Welfare Department, passed an order in proceeding dated 23.05.2013 granting the benefit of inter-se-seniority in favour of Smt.Ambika and accordingly, granted the benefit of promotion and monetary benefits. However, the cases of the writ petitioners have not been considered. The petitioners now seek notional promotions and consequential monetary benefits, in view of the fact that the petitioners had already retired from service.

3.This Court is of the considered opinion that if the order of the Court is common in nature to all the other candidates with reference to the fixation of inter-se-seniority or otherwise, is applicable to the other senior persons. Then the case of the petitioners are also to be considered along with the case of Smt.Ambika. Even otherwise also if Smt.Ambika is junior to the writ petitioners, then the case of the petitioners are to be considered for grant of promotion on par with their juniors. All these factual



details with reference to the service records are to be verified by the respondents and appropriate steps are to be taken in this regard. Therefore, the petitioners are directed to submit a detailed representation along with the documents to the third respondent and in the event of receipt of any such representation from the petitioners, the third respondent is directed to consider the same on merits and in accordance with law and pass appropriate orders, within a period of twelve(12) weeks from the date of receipt of a copy of this order.

4. With these directions, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

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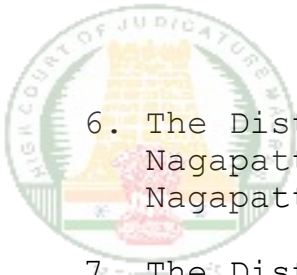
/ /2020

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary,
Department of Social Welfare and
Nutritious Meal Programme,
St.George Fort, Chennai.
2. The State of Tamil Nadu,
Represented by its Secretary,
Department of Social Welfare and
Nutritious Meal Programme
St.George Fort, Chennai.
3. The Director,
Social Welfare Department,
No.58/70, Arunachala Street,
Adikesavapuram,
Chintadripet, Chennai-2.
4. The District Collector,
Tanjore District,
Tanjore.
5. The District Social Welfare Officer,
District Social Welfare Office,
Tanjore,
Tanjore District.



6. The District Collector,
Nagapattinam District,
Nagapattinam.
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