

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.415 of 2021

- 1 J.LAKSHMI DEVI  
ASST. ENGINEER  
(NOW EXECUTIVE ENGINEER)  
DEPOT NO.55 AREA V  
CMWSSB OFFICE  
ROYAPURAM  
CHENNAI-13  
NOW WORKING AT O/O SE(P) VI  
CMWSSB NO.75 SANTHOME HIGH ROAD  
RAJA ANNAMALAIPURAM  
CHENNAI-600 028
  - 2 P.BAGYALAKSHMI  
ASST. ENGINEER  
(NOW EXECUTIVE ENGINEER)  
DEPOT NO.74, AREA V  
CMWSSB OFFICE  
THIRU VI KA NAGAR  
CHENNAI-81.  
NOW WORKING AT E.E.AOBM  
CMWSS BOARD  
URBAN ADMINISTRATIVE BUILDING  
MRC NAGAR  
CHENNAI-28.
- ...Appellants

WEB Vs COPY

- 1 K.S.MAHARADEVI
- 2 STATE OF TAMILNADU  
REP. BY SECRETARY TO GOVERNMENT  
MUNICIPAL ADMN. AND WATER SUPPLY DEPT.  
FORT ST. GEORGE  
CHENNAI-9

3 THE MANAGING DIRECTOR  
CHENNAI METROPOLITAN WATER SUPPLY AND  
SEWERAGE BOARD  
NO.1 PUMPING STATION ROAD  
CHINDARIPET  
CHENNAI-2

...Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the common judgment dated 10.07.2020 made in W.P.No.29150 of 2013.

W.P.No.29150 of 2013

Prayer: Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents 1 and 2 to fix the seniority of the petitioner in the serial No.29, over and above the respondents 3 and 4 in the seniority list of Assistant Engineers drawn by the 2<sup>nd</sup> respondent in the proceedings dated 14.06.2013 and made in Proc.No.CMWSSB/P&A/STF/RA3/16548/2012.

For Appellants : Mr.K.P.Chandrasekaran

For Respondents : Mr.V.Jayaprakash Narayanan  
State Government Pleader  
for respondent No.2

JUDGMENT  
(Delivered by the Hon'ble Chief Justice)

The appellants do not appear to be aggrieved by the order impugned disposing of the writ petition by requiring the respondent authorities to consider the writ petitioner-first respondent's representation.

2. The real grievance of the appellants is that upon consideration of the matter, the employer has chosen a course of action that is perceived to be prejudicial to the appellants. In view of such grievance aired by the appellants, the appeal is not maintainable. It is evident that the order impugned has worked itself out and the matter has been duly considered by the respondent authorities in terms of the order. Any adverse effect of such consideration cannot be assailed by way of the present appeal as that may have given rise to a fresh cause of action in respect of the result of the consideration which cannot be said to have been subject-matter of the earlier writ

petition.

3. For the reasons aforesaid, W.A.No.415 of 2021 is dismissed and the appellants are left free to pursue the appellants' remedies against the order passed on the respondent authorities considering the writ petitioner-first respondent's representation pursuant to the order impugned.

There will be no order as to costs. Consequently, C.M.P.No.1662 of 2021 is closed.

Sd/-

Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

sasi

To:

- 1 THE SECRETARY TO GOVERNMENT  
STATE OF TAMILNADU  
MUNICIPAL ADMN. AND WATER SUPPLY DEPT.  
FORT ST. GEORGE  
CHENNAI-9
- 2 THE MANAGING DIRECTOR  
CHENNAI METROPOLITAN WATER SUPPLY AND  
SEWERAGE BOARD  
NO.1 PUMPING STATION ROAD  
CHINDARIPET  
CHENNAI-2

सत्यमेव जयते

W.A.No.415 of 2021

JP- II (CO)  
NRA (09/03/2021)

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