

**W.M.P.No.8708 of 2021
in W.P.No.8144 of 2021
(heard through VC)**

S.VAIDYANATHAN, J

This miscellaneous petition is filed under Rule 2-A of Appendix V of Madras High Court Appellate Side Rules (Rules to Regulate Proceedings under Article 226 of Constitution), seeking to implead respondents 6 and 7 in their representative capacity for all other persons included in the impugned Seniority List drawn up by the 5th respondent vide proceedings Na.Ka.A2/4867/2018 dated 24.04.2018.

2. For the sake of convenience, Rule 2-A of Appendix-IV of the Appellate Side Rules, 1965, is extracted hereunder:

"Rule 2-A: Where there are numerous persons who may be affected in the event of the petitioner succeeding in a writ petition or whose addresses for effective service of notice in the writ petition is not known to the writ petitioner, or where the Court considers that having regard to the need for a quick decision and avoidance of delay, it is necessary to grant such permission, the writ petitioner, may with the permission of Court, file a single petition against one or more of such persons who may be affected, designating and describing him or them, as representing all such persons:

Provided that while granting permission to the petitioner to implead a respondent or respondents in a representative capacity, the Court may direct publication of a notice in the prescribed form so that every person likely to be affected will have an opportunity of coming on record if he so chooses."

3. The petitioners should have stated in the affidavit or shown in the cause title that the 6th and 7th Respondents are designated and described as representing all similarly situated persons. Since this has not been done, the petitioners are permitted to file an amendment petition to the cause title, by duly describing the 6th and 7th Respondents as mentioned in Rule 2-A. If the said amendment petition is ordered and the amendment is carried out, this Court will consider the request to effect paper publication before the specified date both in Tamil and English dailies widely circulated in the State of Tamil Nadu, provided all the respondents are within the State of Tamil Nadu, by duly mentioning the date of hearing and granting a specific date to file a proof into the Registry.

4. Since all the procedures stated *supra* are absent, this Court is not inclined to grant the relief for the present. The petitioners will have to array all the persons, who are likely to be affected as party Respondents to this petition.

5. Accordingly, this Miscellaneous Petition is dismissed.

31.03.2021
(1/4)

rsi

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