



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.07.2021

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.Nos.18760, 17647 & 23629 of 2018
and

W.M.P.Nos. 20912, 20913, 22110, 27567, 27589 of 2018,
19861, 2404, 1994 & 2400 of 2020

W.P.No.18760 of 2018

D.Perumal

...Petitioner

-vs-

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Revenue Department, Fort St.George,
Chennai - 600 009.
2. The Additional Chief Secretary /
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Kancheepuram District.
4. The District Revenue Officer,
Kancheepuram.
- 5.R.Sathiya
- 6.T.Jayalakshmi
- 7.V.Bhoobalan
- 8.D.Girija
- 9.K.Sridevi
(R5 to R9 are impleaded as per Order dated 21.08.2018
by SPIJ in WMP.No.24189 to 24193 of 2018 in
W.P.No.18760 of 2018)
- 10.E.L.Dakshayani
- 11.V.Sujatha
- 12.R.Velu
- 13.P.Ranganathan
- 14.K.Hari
- 15.K.Devikala
- 16.G.Sangeetha



17.G.Manimegalai
(R10 to R17 impleaded vide order dtd 28.03.2019 made in
WMP.No.6441/2019 in W.P.NO.18760 of 2018 by SMSJ)

18.Puthiyappan
19.Jeevitha
20.Udhayakumar
21.E.Gopi
22.Nirmala
23.K.Veeramani
24.Sridhar
25.Raja
26.M.Karthikragunath
27.Ramamurthi
(R18 to R27 impleaded vide Order dated 23/03/2021 made
in WMP.NO.17426/2020 in WP.18760 of 2018 by RMDJ)

28.Jayakumar
29.Jagadeesh
30.Sudhagar
31.Suguna
32.N.Kothai
33.S.Kalpana
34.R.Vengidesan
35.M.Annamalai
36.G.Jeyakumar
37.C.Balachandar
38.Jayavel
39.N.Sasikala
40.Dhandabani
41.Kamalakaran
42.Boobalan
43.K.Sakthivel
44.Syed Ali
45.Abdul Raasik
46.Venkatesan
47.Komala

(R28 to R47 impleaded vide Order dated 23.03.2021 made
in WMP.No.17850/2020 in WP.18760 of 2018 by RMDJ)

48.D.Vijayakumar
49.K.Manivannan
50.R.Tamizharasan
51.S.Srinivasan
52.G.Elumalai
53.P.Charles
54.G.Sugumar
55.G.Muthu

(R48 to R55 impleaded vide Order dated 23.03.2021 made
in WMP.19860/2020 in WP.18760/2018 by RMDJ) ...Respondents



Prayer: Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 24.08.2017 signed on 09.06.2018 in Na.Ka.No.28102/2012/A2 of the 4th respondent herein for the panel year 2011-12 and impugned proceedings dated 24.08.2017 in Na.Ka.No.28102/2012/A2 of the 4th respondent herein for the panel year 2012-13 and quash the same and direct the respondents herein to draw the inter se seniority list in respect of directly recruited assistants and the promottee assistants in conformity with the Annexure IX Rule 2 (a) read with clause 9 notified under rule 38(b)(ii) of the Tamil Nadu Ministerial Service Rules.

For Petitioner : Mrs.AL.Ganthimathi

For Respondents : Mr.K.V.Sajeevkumar
Govt. Counsel for R1 to R4
Mr.Adithya Reddy for R5 to R9
R10 to R17 - No Appearance
Mr.V.Gunasekar for R18 to R27
Mr.V.R.Kamalanathan
for R28 to R47
Mr.G.Sankaran for R48 to R55

W.P.No.23629 of 2018

1. M.Mahalakshmi
D/o.S.Manivannan,
Senior Revenue Inspector,
Divisional Excise Office, Kancheepuram,
Kancheepuram District.
2. A.Parvathi
D/o.Annamalai,
Senior Revenue Inspector,
Taluk Office, Madurantakam,
Kancheepuram District.
3. E.Pachaiyammal
D/o.Elumalai,
Senior Revenue Inspector,
Taluk Office, Madurantakam,
Kancheepuram District.
4. J.Kamala
D/o.Jayalingam,
Senior Revenue Inspector,
Collector's Office,
Kancheepuram District.



5. V.Vijayakumar
S/o.Veerasamy,
Senior Revenue Inspector,
Revenue Divisional Office,
Kancheepuram, Kancheepuram District.

6. G.Kalpana
D/o.Govindaraj,
Senior Revenue Inspector,
Taluk Office, Kancheepuram,
Kancheepuram District.

7. G.Vadivukkarasi
D/o.Gangatharan,
Senior Revenue Inspector,
Taluk Office, Walajabad,
Kancheepuram District.

8. B.Mohana
D/o. T.Bakthavachalam,
Senior Revenue Inspector,
Collector's Office,
Kancheepuram District.

9. C.Uma Maheswari
Senior Revenue Inspector,
Taluk Office, Thiruporur,
Kancheepuram District.

10.B.Jayanthi
D/o.Boopathy,
Senior Revenue Inspector,
Collector's Office,
Kancheepuram District.

11.V.James,
S/o.Vellaisamy,
Senior Revenue Inspector,
Revenue Divisional Office, Tambaram,
Kancheepuram District.

12.A.Selvi,
D/o.Arumugam,
Senior Revenue Inspector,
O/o.The DBCWO, Collector's Office,
Kancheepuram District.



13.R.Ganeshkumar,
Senior Revenue Inspector,
Outer Ring Road Unit-I,
Koyambedu, Chennai.

14.T.Ramya,
D/o.M.Thangarajan,
Senior Revenue Inspector,
Land Reforms' Collector's Office,
Kancheepuram District.

15.D.Srinivasan,
S/o.Deenadayalan,
Senior Revenue Inspector,
Collector's Office,
Kancheepuram District.

...Petitioners

-vs-

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Revenue Department, Fort St.George,
Chennai - 600 009.

2. The Additional Chief Secretary /
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Kancheepuram District.

4. The District Revenue Officer,
Kancheepuram.

...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 24.08.2017 signed on 09.06.2018 in Na.Ka.No.28102/2012/A2 of the 4th respondent herein for the panel year 2011-12 and impugned proceedings dated 24.08.2017 in Na.Ka.No.28102/2012/A2 of the 4th respondent herein for the panel year 2012-13 and quash the same and direct the respondents herein to draw the inter se seniority list in respect of directly recruited assistants and the promottee assistants in conformity with the Annexure IX Rule 2 (a) read with clause 9 notified under rule 38(b)(ii) of the Tamil Nadu Ministerial Service Rules.

For Petitioners	:	Mrs.AL.Ganthimathi
For Respondents	:	Mr.K.V.Sajeevkumar
		Govt. Counsel for R1 to R4



W.P.No.17647 of 2018

1. D.Vijayakumar
Firkka Revenue Inspector,
Kelambakkam Firkka,
Thiruporur Taluk,
Kancheepuram District - 603103.
2. R.Thamizharasan,
Firkka Revenue Inspector,
Palur Firkka, Chengalpattu Taluk,
Kancheepuram District - 603101.
3. P.Balaji
Firkka Revenue Inspector,
Alandur Firkka, Alandur Taluk,
Kancheepuram District - 600016.
4. V.Sankar
Firkka Revenue Inspector,
Mambakkam, Firkka,
Thiruporur Taluk,
Kancheepuram District - 602106.
5. R.Ramesh
Firkka Revenue Inspector,
Thandalam Firkka,
Sriperumbudur Taluk - 602105.
6. G.Elumalai
Firkka Revenue Inspector,
Kattankulathur Firkka,
Chengalpattu Taluk - 603001.
7. P.Saravanan
Firkka Revenue Inspector,
Karunguzhi Firkka,
Madurantakam Taluk - 603306.
8. K.Manivannan
Firkka Revenue Inspector,
Madurantakam Firkka,
Madurantakam Taluk-603306.
9. P.Rani
Firkka Revenue Inspector,
Arumbuliur Firkka,
Uthiramerur Taluk - 603406.



10.P.Charles
Firkka Revenue Inspector,
Chengalpet Taluk - 603001.

11.C.Narayanan
Firkka Revenue Inspector,
Mamallapuram Firkka, Thirukkazhukundram Taluk - 603109.

12.B.Parimala,
Firkka Revenue Inspector,
Thiruporur Firkka,
Thiruporur Taluk - 603108.

13.G.Sugumar,
Firkka Revenue Inspector,
Lathur Firkka,
Cheyyur Taluk - 603302.

14.K.Kalaivani,
Firkka Revenue Inspector,
Uthiramerur Taluk - 603406.

15.R.Thilagam,
Firkka Revenue Inspector,
Pallavaram Firkka,
Pallavaram Taluk - 600043.

16.M.Shamila
Firkka Revenue Inspector,
Oonambakkam Firkka,
Madurantakan Taluk - 603306.

...Petitioners

-vs-

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Revenue & Disaster Management Department,
Fort St.George, Chennai - 600 009.
2. The Additional Chief Secretary /
Commissioner of Revenue Administration,
Disaster Management & Mitigation,
Chepauk, Chennai - 600 005.
3. The District Collector,
Kancheepuram District,
Kancheepuram - 631501.
4. The District Revenue Officer,
Kancheepuram District,
Kancheepuram - 631501.



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5. Mr.Ko.Krishnakumar,
Senior Revenue Inspector,
O/o. Special Tahsildar (Land Acquisition)
Oragadam Extension Scheme,
Unit - II, Sriperumbudur - 603109.
6. S.T.Nandakumar,
Senior Revenue Inspector,
Taluk Office, Tambaram - 600059.
7. J.Daisy Rani
Senior Revenue Inspector,
Taluk Office, Tambaram - 600059.
8. M.Bharathi
Senior Revenue Inspector,
Taluk Office, Sriperumbudur - 602105.
9. J.Raja,
Senior Revenue Inspector,
O/o. Special Tahsildar (LA),
Ultra Mega Power,
Unit - I, Cheyyur - 603302.
10. I.Vijayalakshmi,
Senior Revenue Inspector,
O/o.Special Tahsildar (AD Welfare),
Chengelpet - 603001.
- 11.E.V.Geeta,
O/o. Special Tahsildar,
Natham Settlement Office,
Kancheepuram - 631501.
- 12.D.Komathi,
O/o.Special Tahsildar,
Natham Settlement Office,
Pallavaram - 600043.
- 13.V.M.Manimekalai,
Senior Revenue Inspector,
O/o.Special Tahsildar (AD Welfare),
Kancheepuram - 631501.
- 14.K.N.Varadarajan,
Senior Revenue Inspector,
O/o. Assistant Director, Mines,
Kancheepuram - 631501.



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15.K.Saravanan,
Senior Revenue Inspector,
O/o.Deputy Collector (LA),
Mannur Valarpuram, Nemili Scheme,
Sriperumbudur - 631501.

16.G.Tulsiraman,
Senior Revenue Inspector,
District Collector Office,
Kancheepuram - 631501.

17.Govardhan,
Senior Revenue Inspector,
District Collector Office,
Kancheepuram -631501.

18.N.Arun,
Senior Revenue Inspector,
District Collector Office,
Kancheepuram - 631501.

19.M.Saravanan,
O/o.Special Tahsildar,
Natham Settlement Office,
Tambaram - 600059.

20.V.Asha,
Senior Revenue Inspector,
O/o.Special Tahsildar (Adi Dravidar Welfare)
Maduranthakam - 603306.

21.P.Arokiadass,
Senior Revenue Inspector,
Taluk Office, Maduranthakam, - 603306

...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 4 to promote the petitioners to the post of Deputy Talsildars for the panel year 2018 without insisting on the requirement of completion of two years training as Firkka Revenue Inspector, by relaxing appropriate Rules if necessary, before promotion of Respondents 5 -21, in light of the orders passed by this Hon'ble Court in W.P.No.16697/2007 reported in 2012(1) MLJ 634 as confirmed by the Hon'ble Division Bench in W.A.No.391/2012.

For Petitioners

: Mr.Adithya Reddy



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For Respondents

: Mr.K.V.Sajeevkumar
Govt. Counsel for R1 to R4

Mrs.AL.Ganthimathi for
R5, 13, 17 & 20

C O M M O N O R D E R

By consent of both the parties, these writ petitions are taken up for final disposal.

2. Heard the learned counsel for the parties.

3. The petitioners herein, are promotee Assistants and directly recruited Assistants, who seek a direction to the respondents to draw the inter-se seniority among the promotee Assistants and directly recruited Assistants. The issue with regard to fixation of the inter-se seniority among these two categories of Assistants, had come up for consideration before the Hon'ble Division Bench of this Court in W.A.(MD) No.836 of 2018 etc., batch and by an order dated 30.08.2019, the Hon'ble Division Bench had, among the other directions, directed the Government to make necessary amendments to the Special Rules of Tamil Nadu Ministerial Services Rules, in connection with the fixation of seniority, as well as for preparation of seniority list for every year. In consonance with the directions of the Hon'ble Division Bench, the Special Rules for the Tamil Nadu Ministerial Services Rules, was amended by incorporating the guidelines for fixation of inter-se seniority list, among the promotees and direct recruits, through G.O.Ms.No.106, Personal and Administrative Reforms Department, dated 01.09.2020.

4. It is not disputed by the learned counsels appearing for both the promotees as well as the direct recruits, that the inter-se seniority list requires to be published in accordance with such amended Special Rules under the Tamil Nadu Ministerial Services Rules. Their grievance seems to be with regard to the seniority, to which the petitioners may seek in the proposed inter-se seniority list.

5. This Court is of the view that if the respondents are directed to adhere to the amended Special Rules and to prepare and publish the inter-se seniority list, and both the direct recruits as well as the promotees, are permitted to redress their grievances after publication of the inter-se seniority list, the ends of justice could be secured. As such, it would be premature to determine their respective placements, in the proposed inter-se seniority list.



6. This Court, in identical circumstances, had passed orders on 01.07.2021, in the case of M.Sukumar & another vs. The Government of Tamil Nadu & others, in W.P.Nos. 8611 & 8612 of 2020, by directing the Authorities to prepare and publish the inter-se seniority list, among the two categories of Assistants, in accordance with the amended Special Rules. It is brought to the notice of this Court that pursuant to the orders of this Court, the Department has also published such inter-se Seniority list. Hence, if the similar order is passed in the instant case also, directing the Authorities to publish the inter-se seniority list in accordance with the amended Special Rules, the ends of justice could be secured. Though, the petitioner herein, had challenged the seniority list, furnished in the year 2017, it may not now be required to be interfere with the seniority list, since the publication of the subsequent inter-se seniority list, which is required to be in accordance with the amended Special Rules, will supersede the earlier impugned seniority list, dated 24.08.2017.

7. In the light of the above observations, there shall be a direction to the respondents 1 to 3 herein, to prepare and publish the inter-se seniority list, among the directly recruited Assistants and the promotee Assistants, in accordance with the amended Special Rules under the Tamil Nadu Ministerial Services Rules and in conformity with the observations, directions and findings made in Writ Appeal (MD) Nos.836, 892, 974 and 1683 of 2018 and W.P.(MD) No.17169 of 2018 dated 30.08.2019, within a period of three months from the date of receipt of a copy of this order.

8. These Writ petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Pns
To

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Revenue Department, Fort St.George,
Chennai - 600 009.



2. The Additional Chief Secretary /
Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Kancheepuram District.

4. The District Revenue Officer,
Kancheepuram.

5. The Secretary to Government,
State of TamilNadu,
Revenue & Disaster Management Department,
Fort.St.George, Chennai-9.

6. The Additional Chief Secretary,
Commissioner of Revenue Administration,
Disaster Management & Mitigation,
Chepauk, Chennai 600 005.

+3 CC to M/s.AL.Gandhimathi, Advocate, Sr.No. 36600,36597.

+1 CC to Mr.V.Gunasekar, Advocate, Sr.No. 36784.

+1 CC to Mr.V.K.Kamalanathan, Advocate, Sr.No. 36785.

+1 CC to The Government Pleader, Sr.No. 36965,36966.

W.P.Nos.18760, 17647 & 23629 of 2018

and

W.M.P.Nos. 20912, 20913, 22110, 27567, 27589 of 2018,
19861, 2404, 1994 & 2400 of 2020

GPL (CO)
LS (26/08/2021)