



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.A.NO.2577 OF 2021
AND
C.M.P.NO.16806 OF 2021

The Commissioner of Labour,
Chennai - 6.

... Appellant/Respondent

.Vs.

Thiru.K.Dhanasekar

... Respondent/Petitioner

PRAYER:-

Writ appeal is filed under Clause 15 of the Letter Patent praying to set aside the order passed by the learned Judge in W.P.No.39357 of 2005 dated 20.11.2020.

PRAYER IN W.P.NO.39357 OF 2005:-

Writ Petition filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the respondent in G1/18737/2005-1 dated 21.04.2005 and quash the same in so far as the rejection of the petitioner representation dated 05.04.2005 is concerned and direct the respondent to fix the petitioner seniority taking into account the date of passing the departmental tests namely 16.11.1993 and place the petitioner above all persons who were promoted to the post of Assistant after 16.11.1993 and grant all consequential benefits to the petitioner.

For Appellants : Mr.K.Tippu Sultan
Government Advocate

For Respondent : No Appearance



JUDGMENT

(Judgement of the Court was made by S.VAIDYANATHAN, J.)

WEB COPY The present writ appeal has been preferred against order dated 20.11.2020 made in W.P.No.39357 of 2005. Following the earlier order of this Court, this Court has disposed of the writ petitions in W.P.Nos.8264 of 2006 dated 04.12.2009 and that it has been stated that the Government Pleader has also considered to that effect and the relevant paragraph No.5 is extracted below.

" 5. In the light of the above submissions made by the learned Special Government Pleader appearing for the respondent, this Court is of the considered opinion that the order passed in the above writ petition is squarely applicable to the facts of the present case and the same benefits to be extended to the petitioner also. Hence this writ petition is allowed. However there shall be no order as to costs".

2. In view of the submission made by the learned counsel appearing for the Government and more so when there was no representation for the petitioner in the writ petition, we are of the view that the order of the learned single Judge cannot be interfered with. Accordingly writ appeal is dismissed. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dpq

To

The Commissioner of Labour,
Chennai - 600 006.

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GJ(CO)
PBS/29/12/2021