



WEB COPY



W.P.Nos.10707, 19429 & 19467 of 2016 & 12382 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P.Nos.10707, 19429 & 19467 of 2016 & 12382 of 2018
and

W.M.P.Nos.6685, 7800, 6969 & 7802 of 2019

W.P.No.10707 of 2016:

S.Sarada Devi

.. Petitioner
in W.P.No.10707 of 2016

A.Kumarasivam

.. Petitioner
in W.P.No.19429 of 2016

S.Arputharaj

.. Petitioner
in W.P.No.19467 of 2016

P.Prabakaran

.. Petitioner
in W.P.No.12382 of 2018

Vs.

1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat,
Chennai – 600 009.

2.The Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Chennai – 600 009.

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3. The Principal Secretary to Government,
Finance Department,
Secretariat,
Chennai – 600 009.

.. Respondents
in all petitions

Prayer in W.P.No.10707 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant petitioner parity in promotion with his junior with seniority number 77, as against petitioner's seniority number 32, who is promoted as Joint Secretary in Finance Department and consequently, promote the petitioner as Joint Secretary to Government with effect from 09.11.2012 with all attendant benefits.

Prayer in W.P.No.19429 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant petitioner parity in promotion with his junior with seniority number 77, as against petitioner's seniority number 58, who is promoted as Joint Secretary in Finance Department and consequently, promote the petitioner as Joint Secretary to Government with effect from 09.11.2012 with all attendant benefits.



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Prayer in W.P.No.19467 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant petitioner parity in promotion with his junior with seniority numbers 104 and 107, as against his seniority number 78, who are promoted as Joint Secretary in Finance Department and consequently, promote the petitioner as Joint Secretary to Government with effect from 10.12.2012 with all attendant benefits.

Prayer in W.P.No.12380 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant petitioner parity in promotion with the petitioner's junior with seniority numbers 110, 115, 118 and 119, as against petitioner's seniority number 50, who are now promoted as Joint Secretary in Finance Department and consequently, promote him as Deputy Secretary with effect from September 2014 with consequent promotions on par with his juniors with all attendant benefits.

For Petitioners in all petitions	:	Mr.S.Namasivayam
For RR 1 and 2 in all petitions	:	Mrs.S.Anitha Spl. Government Pleader
For R3 in all petitions	:	Mr.P.Sanjay Gandhi Government Advocate



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COMMON ORDER

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Since the issue involved in these writ petitions is one and the same, these writ petitions are taken up together and disposed of by this common order.

2. With reference to the grievance of the petitioners for promotion/upgradation of posts, as the case may be and for consequential monetary benefits on par with their juniors, learned Special Government Pleader appearing for respondents submitted that the representations submitted by the petitioners are under consideration by the Government.

3. The respondents filed a detailed counter affidavit setting out the facts relating to the case. The said counter affidavit is taken on record.

4. In view of the fact that the representations submitted by the petitioners to grant benefits on par with their juniors are under consideration, it is suffice if a direction is issued to the respondents to consider the issue and take a decision in accordance with law.



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5. Therefore, in view of the counter filed, the respondents 2 & 3 are directed to consider the claim of the writ petitioners with reference to their representations and take a decision and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The petitioners are directed to submit a copy of their representations enclosing the documents, if any, within a period of two weeks from the date of receipt of a copy of this order.

With the above directions, this writ petition stands disposed of. No costs. Connected W.M.Ps. are closed.

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Index: Yes/No
Speaking/Non-speaking
nsd



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S.M.SUBRAMANIAM, J.
nsd

To

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat,
Chennai – 600 009.
- 2.The Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Chennai – 600 009.
- 3.The Principal Secretary to Government,
Finance Department,
Secretariat,
Chennai – 600 009.

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