



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 3850 of 2022

and

W.M.P. Nos. 3989 and 3990 of 2022

S.Basakaran

... Petitioner

-vs-

The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai - 600 005.

... Respondent

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the order of the Respondent made in Lr. No. 15989/E(per)/A5/2021 dated 20.01.2022 and quash the same and further directing the Respondent to prepare fresh seniority list in accordance with Section 40 of the Tamil Nadu Government Servants (Conditions of Services) Act, 2016.

For Petitioner : Ms. J.Nathiya

O R D E R

The Petitioner along with certain others have challenged the Letter No. C2/HO/SC/16983/2015 dated 07.05.2021 issued by the Respondent refusing to consider their claim for fixation of seniority in the post of Assistant Executive Engineer in the Writ Petition in W.P. No. 17269 of 2021 before this Court. According to the Petitioners, during the pendency of the said Writ Petition, the Respondent by Letter No. 15898/E (Per)/A5/2021 dated 20.01.2022 has required the particulars of the Assistant Executive Engineers for promotion as Executive Engineers for the year 2021, which is assailed in this Writ Petition and a direction has been sought to prepare fresh seniority list in accordance with Section 40 of the Tamil Nadu Government Servants (Conditions of Services) Act, 2016.

2. Learned Counsel for the Petitioner is not able to



explain as to how a fresh Writ Petition for the same cause of action could be prosecuted when the earlier Writ Petition filed by the same Petitioner is already pending before this Court in which the relief now sought has to be agitated. In such circumstances, while observing that no view has been expressed by this Court on the merits of the factual controversies involved in the matter, it is not possible to admit this Writ Petition.

In fine, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vjt

To

The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai - 600 005.

W.P. No. 3850 of 2022

AK-II (CO)
SB(14/03/2022)