

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.NOS.17891 & 17894 OF 2019

AND

W.M.P.NOS.17295, 17296 & 17297 OF 2019

M.Jeevanandham

@ Karuppiah (Serial No.93)

S/o.Muthiyah

...Petitioner in W.P.No.17891/2019

S.Anwar, (Serial No.94)

S/o.A.Subhan Sherif

...Petitioner in W.P.No.17894/2019

Vs.

- 1.The Union of India,
Represented by its Chief Secretary
Puducherry.
- 2.The Union of India,
Rep. By its Secretary to Government,
Puducherry.
- 3.The Director,
Directorate of Health and Family Welfare Service,
Government of Puducherry - 604 004.
- 4.The Officer on Special Duty,
Directorate of Health and Family Welfare Service,
Government of Puducherry - 604 004.
- 5.T.Palaniraj (Serial No.88)
Deputy Director, (Imm.)
Puducherry.
- 6.V.Sedobady (Serial No.89)
O/o. The Deputy Director,
Immunization, Puducherry.
- 7.J.Anand (Serial No.90)
Primary Health Centre,
Kirumampakkam.

8.Mouutouvel (Serial No.91),
Primary Health Centre,
Mettupalayam.

9.Madhiashagan M. (Serial No.92)
Primary Health Centre,
Thirubhuvanai

...Respondents in both W.Ps.

Common Prayer : Petitions filed under Article 226 of the Constitution of India for Writs of Certiorari and Mandamus, call for the records of the 4th respondent pertaining to its Memo No.A23009/2018-DHFWS/E1/184 dated 26.11.2018 and quash the same and consequently direct the 4th respondent to revise the seniority list by considering the petitioner's representation dated 19.03.2019.

For the Petitioner : Mr.D.Babu Varadharajan
[in both W.Ps.]

For the Respondent : Mr.A.Alexander
[in both W.Ps]. Government Advocate (Pondicherry)
[R1 to R4]

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of learned counsel appearing for the parties, these writ petitions were heard together and are disposed of by this common order.

2. Both the petitioners are working as Health Inspector at the respondent Department, the next avenue of promotion is to the post of Technical Assistant, for which, the seniority list has been prepared. However in the seniority list, the petitioners' seniority name has not been properly fixed. Therefore, in order to rectify the anomaly, the petitioners had given separate representations to the respondents in W.P.No.17894 of 2019, the representation was given on 10.12.2018 and in W.P.No.17891 of 2019, the representation was given on 23.01.2019. Despite these representations, since the petitioners' grievance have not been redressed, the petitioners had approached this Court by filing these present writ petitions.

3. When these writ petitions are taken up for final hearing, Mr.D.Babu Varadharajan, learned counsel appearing for the petitioners, would submit that, if a direction is given to the respondents to consider these representations and to take a decision thereon and communicate the same to the petitioners within a time frame that may be stipulated by this Court, these petitioners would be satisfied.

4. Heard Mr.A.Alexander, learned Government Advocate (Pondicherry), who would submit that, if these representations have not been considered so far, certainly that would be considered on merits and in accordance with law and the order would be communicated to the respective petitioners within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned counsel appearing for both sides, having regard to the aforestated, since the prayers now sought for are innocuous in nature, this Court is inclined to dispose of these writ petitions with the following order:

- ◆ That there shall be a direction to the official respondents to consider the representations of the petitioners dated 23.01.2019 and 10.12.2018 in W.P.No.17891 of 2019 and W.P.No.17894 of 2019 respectively and decide the same on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this common order and communicate the same to the petitioners respectively.

With these directions, these writ petitions are disposed of accordingly. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Chief Secretary
Puducherry.
- 2.The Secretary to Government,
Puducherry.
- 3.The Director,
Directorate of Health and Family Welfare Service,
Government of Puducherry - 604 004.
- 4.The Officer on Special Duty,
Directorate of Health and Family Welfare Service,
Government of Puducherry - 604 004.

W.P.Nos.17891 & 17894 of 2019

PL(CO)
RVM(19/07/2022)