



W.P.No.24343 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.24343 of 2014

D.Seralathan

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by the Secretary to
Government of Tamil Nadu,
Department of Higher Education,
Fort St. George,
Chennai - 600009.

2.The Commissioner,
Directorate of Technical Education,
Chennai - 600 025.

3.The Principal,
Thiagarajar Polytechnic College,
Salem.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to promote the petitioner in accordance to the directions of this Court made in W.P.No.848 of 2008 by the order dated 23.02.2010, to the post of Instructor with retrospective effect from 02.01.1995 and grant him the benefits of



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seniority, pay fixation, subsequent promotions as and when due and pay him the arrears of monetary benefits within a stipulated period.

For Petitioner : M/s.A.Arulmozhi
For R1 & R2 : Mr.Jayaprakash,
Government Advocate
For R3 : No Appearance

ORDER

Heard M/s.A.Arulmozhi, learned counsel for the petitioner and Mr.Jayaprakash, learned Government Advocate appearing on behalf of the first and second respondents. There is no appearance on behalf of the third respondent.

2. By placing reliance on the order of this Court passed in W.P.No.848 of 2008, dated 23.02.2010, the petitioner herein seeks the benefit of the order for granting promotion to the post of Instructor with retrospective effect.

3. It is brought to the notice of this Court that order of this Court in W.P.No.848 of 2008 has been put on challenge before the Hon'ble Division Bench of this Court and is now pending before the Hon'ble Supreme Court of



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India in S.L.P.No.17879 of 2014. While that being so, it would not be appropriate to parallelly adjudicate the matter which is subjudiced before the Hon'ble Supreme Court. However, if the petitioner is granted liberty to work out his remedies subject to the outcome of the Hon'ble Supreme Court's order, the ends of justice could be secured.

4. Since no effective orders can be passed in the present Writ Petition, the Writ Petition stands closed with liberty to the petitioner to file a fresh Writ Petition, subject to the final outcome of the decision to be taken by the Hon'ble Supreme Court in S.L.P.No.17879 of 2014. No costs.

10.10.2022

Index:Yes/No

Speaking order/Non-speaking order

hvk

To

1.The Secretary to Government,
Department of Higher Education,
Fort St. George, Chennai - 600009.

2.The Commissioner,
Directorate of Technical Education,
Chennai - 600 025.



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M.S.RAMESH,J.

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