



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

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

W.P.NO.3308 OF 2017

AND

W.M.P.NOS.3274 AND 3275 OF 2017

- 1.G.Balaji
- 2.G.Shasti Kumar
- 3.R.Pandeeswaran
- 4.K.J.Muruganathan
- 5.R.Ramesh
- 6.M.Shanmuga Priya
- 7.S.Deepa
- 8.S.Parvathi
- 9.D.Kavitha
- 10.M.Nallendran
- 11.D.Balasubramanian
- 12.N.Mouna Gurunathan
- 13.A.Baskaran
- 14.B.Aravinth
- 15.T.K.Suresh Kumar
- 16.R.Dilipnavagar
- 17.C.Radhakrishnan
- 18.T.S.Kumar
- 19.V.Santhosh Kumar
- 20.D.Prakash
- 21.D.Selvam
- 22.N.Thirumal Murugan
- 23.P.Kumar
- 24.A.Govindasamy
- 25.K.Hari Kumar
- 26.R.Sivakumar
- 27.P.Saravanan
- 28.C.Sakthivel
- 29.S.Chitra
- 30.M.Siva Kumar
- 31.S.Senthivel
- 32.R.Suganya
- 33.B.Nethaji
- 34.R.Gopinath
- 35.G.Kadher Hussain
- 36.P.Sankara Subbu
- 37.M.Manimala
- 38.P.Lalithaprasanna



39.A.Thenmozhi
40.L.Mathisoothanan
41.M.Rajesh Prabhu
42.K.Muthuraja
43.P.Mahendran
44.S.Sathish
45.K.Menaka
46.S.Jayamala
47.S.Muppidathi
48.M.Mohammad Hakkim
49.E.Dhakchayani Sangeetha
50.A.M.Maharifa
51.P.Rajasekar
52.G.Karuppannan
53.T.Purushothaman
54.G.Mahalakshmi
55.K.Ramya
56.D.Anitha
57.G.Thilagavathy

...Petitioners

Vs

1.The Government of Tamilnadu
Rep. by its Additional Chief Secretary
Commercial Taxes Department
Fort St. George, Chennai - 600 009.

2.The Commissioner of Commercial Taxes
Office of the Commissioner of Commercial Taxes
Ezhilagam, Chepauk,
Chennai - 600 005.

3.P.Saroja

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First and Second Respondents herein to prepare a seniority list for DCTOs for the year 2011 to 2017 in accordance with the principles laid down by this Court in W.P. No. 12786 of 1985 dated 19.06.1986 and as confirmed by the Hon'ble Supreme Court of India in C.A. No. 1454 of 1986 dated 10.02.1999 and reiterated by the division Bench of this Court in W.A. No. 2280 of 2011 dated 31.08.2016 and prepare regular panel for the years 2013 onwards for the promotion to the post of Commercial Tax Officers.

For Petitioners	:	Mr.K.Krishnamoorthy
For Respondents	:	Mr.Richardson Wilson (For R1 & R2) Additional Government Pleader Mr.Rengaramanujam for R3



O R D E R

Heard Mr.K.Krishnamoorthy, Learned Counsel for the Petitioners and Mr. Richardson Wilson, Learned Additional Government Pleader appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First and Second Respondents to prepare a seniority list for Deputy Commercial Tax Officers for the year 2011 to 2017 in accordance with the principles laid down by this Court in the order dated 19.06.1986 in W.P. No. 12786 of 1985 as confirmed by the Hon'ble Supreme Court of India in the order dated 10.02.1999 in C.A. No. 1454 of 1986 and reiterated by the Division Bench of this Court in the order dated 31.08.2016 in W.A.No.2280 of 2011 and prepare regular panel for the years 2013 onwards for the promotion to the post of Commercial Tax Officers.

3. Learned Additional Government Pleader appearing for the First and Second Respondents has brought to notice that in furtherance to the order dated 29.11.2021 in W.P. No. 10154 of 2021 and the order dated 08.12.2021 in W.P.No. 4785 and 10126 of 2021 passed by the Court, the Second Respondent by Proceedings No.CP3/1076204/2021 in 15.02.2022 had published the provisional seniority list and called for objections from the parties concerned.

4. Learned Counsel for the Petitioner contends that the said exercise carried out by the Respondents is not strictly in consonance with the earlier orders passed by the Court. In that event, it is for the Petitioners to place their objections in that regard before the concerned authorities and if they still have any grievance to be redressed, they are not precluded from working out their rights before the proper forum in the manner recognized by law.

5. In view of the aforesaid subsequent events, the relief sought by the Petitioner in the Writ Petition does not survive for consideration. Though obvious, it is made clear that no view has been expressed by this Court on the correctness or otherwise of the merits of the rival contentions of the parties concerned.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

Maya



To

1.The Additional Chief Secretary of Government of Tamil Nadu
Commercial Taxes Department
Fort St. George, Chennai - 600 009.

2.The Commissioner of Commercial Taxes
Office of the Commissioner of Commercial Taxes
Ezhilagam, Chepauk, Chennai - 600 005.

+1cc to Mr.K.Krishnamoorthy, Advocate Sr.No.33870

+1cc to the Special Government Pleader (Taxes) Sr.No.34153

W.P.No.3308 of 2017

SMI (CO)
RVM(22/06/2022)