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W.P. No.33276 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.33276 of 2022

and

W.M.P. Nos.32709 and 32712 of 2022

P.Shankar

... Petitioner

vs.

1. The Commissioner,
Salem City Municipal Corporation,
Salem - 636 001.

2. The Commissioner of Municipal Administration,
No.75, Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai - 600 005.

3. The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat,
Chennai - 600 009.

4. K. Veerakumar

5. V. Suresh

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in



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Na.Ka.No.C2/6834/2022, dated 28.06.2022 and quash the same and consequently to direct the 1st respondent to revise the Seniority restoring the seniority of the petitioner below Thiru V. Tamilmani against Sl. No.2.

For petitioner : Mr.T. Ranganathan
For respondents : Ms. N. Devi for R1
Ms.M. Jayanthi,
Addl. Govt. Pleader for R2 & R3

ORDER

The petitioner is aggrieved by the order of the 1st respondent dated 28.06.2022. Aggrieved by the same, the petitioner has already filed an appeal before the 3rd respondent on 19.09.2022, which is still pending.

2. When an appeal has already been filed, the question of entertaining this writ petition at this stage will not arise. The only limited relief that can be granted to the petitioner is to direct the 3rd respondent to pass final orders on the petitioner's appeal, within a time frame to be fixed by this Court.

3. Heard the learned counsels on either side.

4. No prejudice would be caused to any of the parties, if such a direction is issued by this Court.

5. For the foregoing reasons, this Court directs the 3rd respondent to



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pass final orders on merits and in accordance with law on the petitioner's appeal, dated 19.09.2022, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

12.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To

1. The Commissioner,
Salem City Municipal Corporation,
Salem - 636 001.

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No.75, Santhome High Road,
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ABDUL QUDDHOSE, J.

vsi2

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