



WEB COPY



W.P.No.19361 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19361 of 2017
and
W.M.P.No.20865 of 2017

- 1.R.Govindaraj
 - 2.S.P.Thilagam
 - 3.N.Lalithkumar Samuel
 - 4.Mohammed Kalifathullah Sharif
 - 5.T.Ravichandran
 - 6.N.Nakkeeran
 - 7.M.Manimozhi
 - 8.R.Abdul Kareem
 - 9.T.Gnanaglori Leol
 - 10.V.Devabharathy
 - 11.P.Sivaraman
- ... Petitioners

Vs.

- 1.The Government of Tamil Nadu,
Represented by the Principal Secretary to Government
(Health Department),
Fort St. George,
Madras.



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2.The Director of Public Health and Preventive Medicine,
Madras 6.

3.The Tamil Nadu Public Service Commission,
Madras.

4.V.R.Sumathi

5.N.Soundararajan

6.M.S.E.Malarvizhi

7.T.Datchayani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents, to fix a seniority of the petitioners at 49A to 49K, below Tmt.V.R.Sumathi, in the cadre of Statistical Assistant and for consequential orders.

For Petitioners	: Mr.V.Raghavachari
For R1 & R2	: Mr.Stalin Abhimanyu Additional Government Pleader
For R3	: No Appearance
For R4 & R5	: Mr.S.Nedunchezhiyan
For R6 & R7	: No Appearance



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ORDER

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The relief sought for in the present writ petition is to direct the respondents to fix the seniority of the petitioners at 49A to 49K, below Tmt.V.R.Sumathi, in the cadre of Statistical Assistant.

2. The writ petitioners are seeking revision of seniority in the entry cadre after a lapse of more than 20 years from the date of joining into the service. All the petitioners are in urge of retirement and at this length of time, settled seniority cannot be unsettled.

3. In the event of unsettling the seniority after several years, the same would cause prejudice to the employees, who have been already promoted to the higher posts. Even as per the rules, the dispute relating to the seniority is to be redressed within a period of 3 years and the petitioners have not approached the authorities within a period of 3 years and slept over their claim, and now, at this length of time, the relief as such sought for cannot be granted.



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4. Accordingly, the Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

23.11.2022

Jeni
Index : Yes
Speaking order

To

- 1.The Government of Tamil Nadu,
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(Health Department),
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- 2.The Director of Public Health and Preventive Medicine,
Madras 6.
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S.M.SUBRAMANIAM, J.

Jeni

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