



WP(MD)No.15297 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE G. CHANDRASEKHARAN**

W.P.(MD)No.15297 of 2022

Singaram

... Petitioner

/vs./

The District Collector,
O/o. The District Collector,
Tirunelveli,
Tirunelveli District.
Respondent

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to refix the seniority of the petitioner by including the name of the petitioner in the promotional list to the post of the Assistant in the panel year 2010 by considering the representation dated 31.03.2022.

For Petitioner : Mr.G.Karthick
for M/s.Lajapathi Roy.T
For Respondent : Mr. G.Suryaananth,
Additional Government Pleader,



WP(MD)No.15297 of 2022

WEB COPY

ORDER

This Writ Petition has been filed to direct the respondent to refix the seniority of the petitioner by including the name of the petitioner in the promotional list to the post of the Assistant in the panel year 2010 by considering the representation dated 31.03.2022.

2.Mr.G.Suryaananth, learned Additional Government Pleader takes notice for the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Typist by the Tamilnadu Public Service Commission on 21.03.2002 and his service was regularized on 04.04.2004. Thereafter, the petitioner was to be promoted as Assistant and the said promotion got delayed for the reason that he has completed the Bhavanisagar training in the year 2010 and Orathanadu training in the year 2013. The training got delayed because of



WP(MD)No.15297 of 2022

administrative reasons. He further submitted that the petitioner was promoted as Assistant in the year 2013 and he is entitled for promotion even in the year 2010. Therefore, he gave a representation to the respondents on 19.03.2019 for refixing his seniority by including his name in the promotion panel list for the year 2010. Since no action has been taken, the petitioner has filed a writ petition in W.P. (MD).No.10332 of 2019 and this Court directed the respondent to consider his request for inclusion of his name in the promotion panel list and pass appropriate orders on merits and in accordance with law. Even thereafter, no order was passed, now the petitioner has approached this Court by way of filing this Writ Petition.

4.The learned Counsel appearing for the petitioner submitted that it would suffice, if the petitioner's representation is considered.

5.The learned Additional Government Pleader appearing for the respondent submitted that as per direction of this Court in W.P.(MD).No.10332 of 2019, the petitioner's representation is under active consideration.



WP(MD)No.15297 of 2022

WEB COPY

6. In view of the submission made by the learned Additional Government Pleader appearing for the respondent, this Court feels that it is not necessary to give any direction to consider the petitioner's representation dated 31.03.2022. On the other hand, the respondent is directed to pass appropriate orders, on merits and in accordance with law for inclusion of the petitioner's name in the promotion panel list for the year 2010 and re-fix the seniority list as per the order passed in W.P.(MD).No.10332 of 2019.

7. With the above direction, this Writ Petition is disposed of. No costs.

14.07.2022

Index : Yes / No

Internet : Yes / No

vsg



WEB COPY



WP(MD)No.15297 of 2022

To:

The District Collector,
O/o. The District Collector,
Tirunelveli,
Tirunelveli District.



WEB COPY



WP(MD)No.15297 of 2022

G. CHANDRASEKHARAN, J.

vsg

Order made in
W.P.(MD)No.15297 of 2022

Dated:
14.07.2022