



W.P.No.4147 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.4147 of 2020

V.Natarajan

... Petitioner

Versus

1.The State of Tamil Nadu,
Rep. by Additional Chief Secretary to the Government,
Highways Department,
Fort St.George,
Chennai - 600 009.

2.The Director General,
Highways Department,
Sardar Patel Road, Guindy,
Chennai, Tamil Nadu 600 025.

3.The Secretary,
TNPSC Road, Park Town,
V.O.C. Nagar,
Chennai, Tamil Nadu 600003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to revise and re-fix the seniority of the petitioner above his immediate junior seniority no 315 junior's on par and place this petitioner with all consequential retrospective service benefits in accordance with the initial recruited seniority



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based on the representation of the petitioner dated 27.12.2018.

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For Petitioner : Mr. R. Krishna Kumar
For Respondents : Mr. T. Chezhiyan, (for R1 & R2)
Special Government Pleader
: Mr. Karthik Rajan (for R3)
Standing Counsel

ORDER

Being oppressed with the fixation of seniority, the petitioner has laid the present Writ Petition before this Court.

2.The grievance of the petitioner is that directing the respondents to revise and re-fix the seniority number of the petitioner above his immediate junior seniority number is 315 junior's on par and place this petitioner with all consequential retrospective service benefits in accordance with the initially recruited seniority and also for considering his representation dated 27.12.2018 made with regard to the same.

3.Heard the learned counsel on both sides and perused the material records of the case.



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4.The learned counsel for the petitioner would submit that the petitioner gave his first representation on 20.10.2011 itself, thereafter on 27.12.2018 to consider his plea. Till date, the same state of affairs is continuing. After his prolonged efforts become worthless the petitioner has come with the present prayer.

5.Considering the limited relief sought for, this Court without going into the merits of the case, is of the view that it is not necessary to dwell into the merits of the issue, and it would suffice to direct the second respondent to consider the representation submitted by the petitioner on 27.12.2018, on merits, in accordance with the law, in the light of the letters issued on 21.02.2011 and on 03.11.2022 by the second respondent, and in the light of the Judgments of the Hon'ble Supreme Court of India, passed in the cases of ***(i) Additional Director General of Police Inspector General of Prisons Vs. P. Jeyakumar*** in SLP (C) No.006339/2018, dated 21.02.2018; ***(ii) The Principal Secretary to Government Environment and Forest Department and Anr., Vs. R.Sethiah,*** in SLP(C).No...Dairy No.18442/2018, dated 20.07.2018; ***(iii) Dy.Insp.Gen.of Police and Etc., Vs. V.Rani & Etc.,*** in SLP(C).No.../2012..CC 4126-4141/2012, dated 16.03.2012; and the Judgment



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and Order passed by this Court of Division Bench, in the cases of **(i) State of Tamil Nadu, rep. by its Secretary to Government, Highways and Small Ports Department, Chennai-9 and Anr., Vs. P.Pandiaraj**, in W.A.No.460 of 2016, dated 13.04.2016; **(ii) The Commissioner of Police, Madurai City, Madurai and Anr., Vs. K.Srinivasan**, in Rev.Appln.(MD).No.38 of 2018 in W.A.(MD).No.792 of 2017, dated 17.06.2021, and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of, with the above direction. There will be no order as to costs.

21.08.2023

Index : Yes/No
Speaking / Non-Speaking order
Neutral Citation : Yes/No

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To:

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Chennai - 600 009.
- 2.The Director General,
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