



CMP.No.13172 of 2023 in WA.No.1100 of 2023

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R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R.MAHADEVAN, J.)

This miscellaneous petition has been filed by the petitioner / proposed respondent / third party to implead himself as party respondent to the aforesaid writ appeal.

2. The learned senior counsel for the petitioner submitted that the petitioner herein is a direct recruit AC (earlier CTO) recruited under Group I Services and is the appellant in W.A.No.628 of 2020. A Division Bench of this Court by Judgement dated 05.11.2020 in W.A.Nos.626, 627 and 628 of 2020 filed by the direct recruits AC (CT) recruited under Group I services in 1998, 2002 and 2009 respectively, has set aside the order dated 27.02.2020 passed by the learned single Judge in W.P.Nos.9257, 9258 and 9326 of 2018 filed by direct recruits DCTOs (earlier ACTOs) recruited under Group II Services in 1990, 1996 and 2002 respectively and directed the official respondents to prepare and publish the provisional seniority lists and granted liberty to all the individuals to raise objections if any to the draft lists; pursuant to the same, the Government issued G.O.Ms.No.185 CT & Regn (E2) Dept. dated 16.12.2020 provisional inter-se seniority lists in the cadre of AC(CT) published from 1984



to 2006. Since the said GO was issued without rectifying the factual infirmities in the subordinate service seniority lists i.e. feeder cadre seniority lists published in DCTO cadre (drawn upto 2006) and CTO cadre (drawn upto 2010), the direct recruits ACs (earlier CTOs) recruited under Group I services filed objections and hence, the impugned partially revised seniority list issued has not been further pursued by the Government. The learned senior counsel further submitted that the Department has now taken up comprehensive revisional approach of all officials from the cadre of DCTO to ADC and is also on the verge of publication of the rectified seniority lists in obedience of the judgment of the Division Bench dated 05.11.2020 in WA.No.626 of 2020 etc. batch. Without taking note of the same, the appellants herein, who are the Direct recruits DCTOs (earlier ACTO) recruited under Group II services in 2008, have preferred this writ appeal, re-agitating the very same prayer of their seniors that was allowed by order dated 27.02.2020 in WP Nos.9257, 9258 and 9326 of 2020, which was subsequently set aside by the Division Bench by judgment dated 05.11.2020 in WA.No.626 of 2020 etc. batch. Therefore, any order to be passed in this writ appeal would affect the interest of the petitioner herein and hence, he sought to implead himself as party respondent so as to defend his case in the appeal.

3.The learned Additional Advocate General appearing for the respondents has no serious objection for ordering this petition.

4.Considering the reasons stated in the affidavit filed in support of this petition and being satisfied with the same, this petition is ordered as prayed for.



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5.Registry is directed to carry out the necessary amendment in the writ appeal.

[R.M.D., J.] [M.S.Q., J.]
14.07.2023

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