



W.P.(MD)No.17942 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.17942 of 2019

and

W.M.P(MD)Nos.14408 and 14410 of 2019

1.L.Sangapillai

2.V.Ponnambalam

3.V.Baskaran

4.S.Gobi

... Petitioners

Vs

1.The Principal Secretary,
Municipal Administration cum Water
Supply Department,
Secretariat, Chennai.

2.The Director of Town Panchayats,
Floor 8 &9,
Town Administration Office,
Chennai-600 028.

3.The District Collector,
Karur District, Karur.



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4.The Assistant Director of Town Panchayats,
Dindigul Zone,
Collectorate,
Dindigul District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned Government Order in G.O.Ms.No.76, dated 31.05.2019 passed by the first respondent and quash the same and consequently, direct the first respondent to consider the petitioners for promotion on one time consideration basis, based on the seniority.

For Petitioners : Mr.A.N.Ramanathan

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The issue raised in the present writ petition is squarely covered by an order of this Court in W.P.No.23436 of 2019, dated 02.08.2022.



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2. Mr.T.Amjadkhan, learned Government Advocate for the respondents would submit that as against the said order, the Government is proposing to file an appeal. As long as this order is still in force, I am bound to follow the same. Therefore, this Writ Petition is disposed of in terms of paragraph No.18 of the order made in W.P.No.23436 of 2019, dated 02.08.2022, which is extracted below:

18. In that view of the matter, this Court is inclined to dispose of this Writ Petition with the following orders:

(1) The respondents are hereby directed to extend the benefit of G.O.Ms.No.76, dated 31.05.2019 to the petitioner also by which the petitioner also shall be considered to be promoted to the post of either Junior Assistant or Bill Collector in the Tamil Nadu Town Panchayat Subordinate Services and in that category, based on his seniority as Record Clerk with effect from 1994, the petitioner shall be placed in any vacant post



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initially on notional basis and from the date of such order, the petitioner shall be placed as a functional promotee for other benefits also.

(2) It is made clear that from the eligible date till the date of order to be passed, as indicated above, it shall be only a notional benefit to the petitioner and from the date of order, since he would be appointed by way of promotion to the post of Junior Assistant/Bill Collector on functional basis, he would be entitled to get salary and other service benefits.

(3) The needful, as indicated above, shall be undertaken by the respondents within a period of 8 weeks from the date of receipt of a copy of this order.

No costs. Consequently, connected miscellaneous petitions are closed.

20.12.2023

NCC :Yes/No
Internet:Yes/No
Index :Yes/No
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V. LAKSHMINARAYANANs, J.

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