



W.P(MD)No.27936 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27936 of 2023

1.Marimuthu Pandian

2.Rajagurnatha Prabhu

... Petitioners

Vs.

The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pass appropriate orders on the objections preferred by the petitioner's, dated 05.04.2023 and 20.09.2023 respectively against the seniority list issued by the respondent in Na.Ka.No.PD-53/2/2023-(P2-1), dated 16.02.2023.

For Petitioners : Mr.M.Jerin Mathew

For Respondent : Mr.J.Ashok
Additional Government Pleader



W.P(MD)No.27936 of 2023

WEB COPY

ORDER

The present writ petition has been filed by Assistants, who were working in the respondent Department seeking to fix a time limit for consideration of their objection for the seniority list published by the respondent herein on 16.02.2023.

2. According to the writ petitioners, they were directly recruited to the post of Assistants and *inter se* seniority list was published by the respondent herein on 16.02.2023 between the Direct Recruited Assistants and the Promotee Assistants. An objection was also called for from all concerned. The petitioners herein have submitted their objections on 05.04.2023 and 20.09.2023. However, the said objection is yet to be considered by the respondent herein. Hence, the present writ petition.

3. Per contra, the learned Additional Government Pleader appearing for the respondent had contended that in case, if they are not qualified to be included in the panel, in view of any disciplinary proceeding or pending of criminal case they will not be considered.



W.P(MD)No.27936 of 2023

WEB COPY

4. This Court is of the opinion that for re-fixing the seniority, the said fact cannot be considered. The pendency of disciplinary proceedings or criminal case will come in the way only while preparing the panel for promotion to the next cadre. In view of the above said facts, the respondent herein is directed to consider the objections raised by the petitioners on 05.04.2023 and 20.09.2023 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above said direction, this writ petition stands disposed of.
There shall be no order as to costs.

27.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

The District Collector,
Virudhunagar District,
Virudhunagar.



WEB COPY



W.P(MD)No.27936 of 2023

R.VIJAYAKUMAR, J.

BTR

W.P(MD)No.27936 of 2023

27.11.2023