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W.P.No.1430 of 2012

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 26.02.2024

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.1430 of 2012

S.Kanchanamala

.. Petitioner

**Versus**

1. The Chennai Metropolitan Development Authority,  
Rep. by its Member Secretary,  
No.1, Gandhi Irwin Road, Egmore,  
Chennai - 600 008.

2. R.Magudapathy

.. Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order, dated 10.06.2011 bearing Proc.No.E2/8574/2011 on the file of the 1st respondent and quash the same insofar as 2nd respondent is concerned and consequently forbearing the 1st respondent, their men, agents, subordinate and persons claiming through them from promoting the 2nd respondent either temporarily or permanently to the post of Deputy Planner in the 1st respondent authority.

For Petitioner : Mr.S.Mohan

For Respondents : Mrs.P.Veena Suresh, for R1

: Mrs.T.Subbiksha,



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for Mr.M.Ravi, for R2

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**ORDER**

This Writ Petition relates to inter *se* seniority in the cadre of Assistant Planner.

2. One *Magudapathy* was placed as senior to the petitioner, *Kanchanamala* in the seniority list. Aggrieved by the same, the petitioner made a representation that she should be placed above. The first respondent found that the petitioner is senior and accordingly altered the seniority list. The said *Magudapathy* challenged the said order of alteration of seniority in W.P.No.12886 of 2010 and obtained an interim order of stay. Pursuant to the interim order of stay, the same was implemented by an order, dated 23.07.2010 granting promotion to the said *Magudapathy*, however, subject to the result of the main Writ Petition.

3. This Writ Petition is filed challenging the said proceedings. As a matter of fact, the petitioner, *Kanchanamala* is the second respondent in the said Writ Petition filed by *Magudapathy*. As such, all the rights of the parties have to be canvassed in the said earlier Writ Petition i.e.,



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W.P.No.12886 of 2010 and the second Writ Petition, challenging only the order implementing the interim orders of the Court, is only superfluous.

4. Accordingly, keeping the rights of the parties open to be decided in W.P.No.12886 of 2010, this Writ Petition in W.P.No.1430 of 2012 is disposed of. There shall be no order as to costs.

26.02.2024

Index : yes  
Speaking order  
Neutral Citation : no  
grs

To

The Member Secretary,  
The Chennai Metropolitan Development Authority,  
No.1, Gandhi Irwin Road, Egmore,  
Chennai - 600 008.



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**D.BHARATHA CHAKRAVARTHY, J.**

grs

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