



WEB COPY

W.P.No.22987



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.22987 of 2012

1. R.Ganesan
2. R.Jayaseelan
3. V.Srinivasan
4. P.Umadevi
5. M.Shanthi
6. S.Maharajan
7. R.Amudha
8. S.Jegatha
9. K.Seenuvasan
10. M.Vaitheeswaran
11. N.M.Krishnamoorthy
12. V.Theivavalli
13. M.Senthamarai
14. K.Parthasarathy
15. S.Robert Clive
16. M.Vennila
17. J.Arockia Anbarase

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary, MA & WS(MEIII) Department,
Fort St. George, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
3. P.Manoharan

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the issue of G.O.(2D) NO.113, Municipal Administration and water Supply (MEIII) Department dated 01.12.2011 issued by 1st respondent and the proceedings of 2nd respondent in Roc.No.28388/2011/F1 dated 16.12.2011 and quash the same and consequently to direct the 2nd respondent to promote the petitioner notionally as Assistant Executive Engineer from 20.12.2011, the date on which the 3rd respondent has joined as Assistant Executive Engineer pursuant to the impugned order with all consequential monetary and service benefits.

For Petitioners : Mr.N.Subramaniyan

For R1 & R2 : Mr.S.Rajesh,
Government Advocate

ORDER

When the matter is taken up for consideration, it is brought to the notice of this Court by Mr.N.Subramaniyan, learned counsel for the petitioner that the very same impugned orders impugned in the present Writ Petition were the subject matter in W.P.No.30152 of 2011 and the said Writ Petition was allowed by this Court by an order dated 02.11.2012, quashing the impugned orders on the ground of violation of the principles of natural justice. All the petitioners herein are also sought to be treated as Juniors to the Respondent No.3 herein without



putting them on notice.

2. In the circumstances and also taking into consideration the fact that the very same impugned orders were already quashed by this Court by an order dated 02.11.2012 and the said order is stated to have become final, this Court is of the considered view that this Writ Petition is also liable to be allowed.

3. Accordingly, the Writ Petition is allowed in terms of the order passed by this Court in W.P.No.30152 of 2011 dated 02.11.2012. Consequently, in case if any benefit is conferred upon the Respondent No.3 by virtue of the impugned orders, the respondents shall take necessary consequential steps consequent upon quashing of the impugned orders within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions, if any shall stand closed.

30.08.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The Secretary to Government of Tamil Nadu,
MA & WS(MEIII) Department, Fort St. George, Chennai - 600 009.



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2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

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MUMMINENI SUDHEER KUMAR, J.

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