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W.P.No.9844 of 2021
and W.M.P.Nos.10474 & 10475 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.9844 of 2021
and W.M.P.Nos.10474 & 10475 of 2021

1. A.Janarthana Kannan
- 2.R.Yadhavan
- 3.Selvi S.Bharathi
- 4.M.Vediyappan
- 5.R.Ajeethkumar
- 6.E.Jayaganesan
- 7.K.Markandeyan
- 8.R.Veerassamy
- 9.C.Balamurugan
- 10.J.Arulseravanan
- 11.K.Bhaskar
- 12.S.Vijayalakshmi
- 13.A.Kokilavani
- 14.G.Devi Renuga
- 15.M.Baskar
- 16.S.Sathyanarayanan
- 17.S.Ravikumar
- 18.S.Ethiraj
- 19.A.Sampoornam

... Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Commercial Taxes and Registration Department,



W.P.No.9844 of 2021
and W.M.P.Nos.10474 & 10475 of 2021

Secretariat, Chennai 600 009.

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2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai – 600 005.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to pass appropriate orders declaring the approved lists issued by the second respondent in Proceedings No.(1). P2/28377/2009-1, dated 18.12.2009, (2). P2/7347/2010, dated 15.06.2010 and (3). P2/319/2011, dated 19.07.2011 as regular approved lists and that the petitioners herein were regularly appointed as DCTOs and they are deemed to have completed their probation within a total period of two years of the continuous period of three years from the date of their initial appointment to the said post and to determine their seniority with reference to their date of initial appointment as DCTO and prepare the inter-se-seniority between the directly recruited DCTOs and the persons recruited by transfer from the Ministerial Service of the Commercial Taxes Department, by placing the petitioners herein in the appropriate place and thereafter issue further consequential orders of empanelment and promotion to the next higher level posts within a time frame fixed by this Hon'ble Court.

For Petitioners : Mr.M.Ravi

For Respondents : Ms.K.Vasanthamala
Government Advocate (T)

ORDER

This Writ Petition has been filed, seeking a direction to the respondents to pass appropriate orders declaring the approved lists issued by the second respondent in Proceedings No.(1). P2/28377/2009-1, dated



W.P.No.9844 of 2021
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18.12.2009, (2). P2/7347/2010, dated 15.06.2010 and (3). P2/319/2011, dated 19.07.2011 as regular approved lists and that the petitioners herein were regularly appointed as DCTOs and they are deemed to have completed their probation within a total period of two years of the continuous period of three years from the date of their initial appointment to the said post and to determine their seniority with reference to their date of initial appointment as DCTO and prepare the inter-se-seniority between the directly recruited DCTOs and the persons recruited by transfer from the Ministerial Service of the Commercial Taxes Department, by placing the petitioners herein in the appropriate place and thereafter issue further consequential orders of empanelment and promotion to the next higher level posts.

2. On instruction, Mr.M.Ravi, learned counsel for the petitioners would submit that during the pendency of the writ petition, the second respondent had released provisional inter se seniority list of DCTO for the years from 1981 – 2022 vide proceedings No.P2/02-22/10/2023 dated 27.12.2023. In fact, in the provisional inter se seniority list published vide



W.P.No.9844 of 2021
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the above proceedings, objections have been called for from the officers as
under :

“7. Objections, if any, to the provisional inter se seniority lists redrawn now may be filed individually in writing within 15 (fifteen) days of issue of this order and where the objection is factual in nature, it shall be furnished with relevant documentary proof. The objections may be sent to the office of the undersigned appointing authority directly.”

3. Hence, it is for the petitioner to check whether they have been rightly placed in the above seniority list and to accept or object the same. In view of the supervening circumstance, the issue involved in the writ petition, if needed, may be raised before the respondents by way of objection.

4. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

18.03.2024

Index: Yes / No
Speaking order / Non-speaking order
mtl



W.P.No.9844 of 2021
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To:

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai – 600 005.



WEB COPY



W.P.No.9844 of 2021
and W.M.P.Nos.10474 & 10475 of 2021

R.N.MANJULA ,J.

mtl

W.P.No.9844 of 2021
and W.M.P.Nos.10474 & 10475 of 2021

18.03.2024