



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-03-2024

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

And

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WP No.12221 of 2022

R.Ramesh

.. Petitioner

-VS-

1.The Secretary to Government Personnel and
Administrative Reforms (B) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.Secretary to Government Home (Court-V)
Department,
Secretariat,
Fort St. George,
Chennai-600 009.

3.The Principal District Judge,
Perambalur District,
Perambalur.

.. Respondents



Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of a Writ of Mandamus, directing the third respondent to fix this petitioner's seniority from the date of his appointment in combined seniority list of Junior Assistant, Typist and Steno-typist appointed prior to 01.08.1992 in accordance with Rule 36(a) of Tamil Nadu Judicial Ministerial Service Rules and grant other consequential benefits retrospectively based on this petitioner's representations dated 14.02.2019 and 16.02.2022.

For Petitioner : Mr.M.Selvam
For Respondents-1 and 2 : Ms.M.Jayanthi,
Additional Government Pleader.
For Respondent-3 : Mr.Karthik Ranganathan

ORDER

[ORDER OF THE COURT WAS MADE

BY S.M.SUBRAMANIAM, J.]

The relief sought for in the present writ petition is to direct the third respondent to fix this petitioner's seniority from the date of his



appointment in combined seniority list of Junior Assistant, Typist and Steno-typist appointed prior to 01.08.1992 in accordance with Rule 36(a) of Tamil Nadu Judicial Ministerial Service Rules and grant other consequential benefits retrospectively based on representations submitted by the petitioner respectively on 14.02.2019 and 16.02.2022.

2. The petitioner was appointed as Steno-typist and retired from service on attaining the age of superannuation on 31.05.2022.

3. The grievance of the petitioner is that the seniority is to be fixed from the date of his appointment in combined seniority list of Junior Assistant, Typist and Steno-typist appointed prior to 01.08.1992.

4. The very claim set out in the present writ petition is hit by laches. The combined seniority list of Junior Assistant, Typist and Steno-typist was revised on account of creation of new promotional avenues to the post of Stenographer Grade III as Steno-typist Grade-II and Grade-I. The petitioner is entitled to seek promotion only to the post of Steno-typist Grade-I, if he is otherwise eligible.



5. Since the petitioner is already retired from service, now he cannot seek further promotion. The very relief sought for in the present writ petition is to fix the name of the petitioner in the erstwhile combined seniority list, which would not arise at this length of time. Thus the relief, as such, sought for in the present writ petition is misconceived.

6. Accordingly, the present writ petition stands dismissed.
However, there shall be no order as to costs.

(S.M.SUBRAMANIAM,J.) (K.RAJASEKAR,J.)

01-03-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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