



W.P.No.27780 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.27780 of 2021
and W.M.P.No.29349 of 2021

P.Govindaradjou

... Petitioner

Vs.

1.The Union of India,
Rep by its Chief Secretary,
Government of Puducherry,
Puducherry.

2.The Secretary to Government,
Department of Education,
Chief Secretariat,
Puducherry.

3.The Principal,
Pondicherry Engineering College,
Pillaichavady,
Puducherry 605 014.

4.The Chairman,
The Centralized Admission Committee,
Pondicherry Engineering College,
Pillaichavady,
Puducherry 605 014.

... Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to consider the objection raised by the petitioner by the representation dated 23.09.2021 to the Tentative Seniority List vide No.PEC/Estt(NT) E4/Seniority/ 2021/ No.1297 dated 16.09.2021 released by the third respondent and pass appropriate order within the time frame as fixed by this Court.

For Petitioner : Mr.V.Balamurgane for
Mr.B.Balavijayan

For Respondents : Mr.M.Nirmalkumar,
Govt. Advocate (Pondicherry) for R1 to R3
No appearance for R4

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the third respondent to consider the objection raised by the petitioner by the representation dated 23.09.2021 to the Tentative Seniority List vide No.PEC/Estt(NT) E4/Seniority/ 2021/ No.1297 dated 16.09.2021 released by the third respondent and pass appropriate order within the time frame as fixed by this Court.

2. Heard Mr.V.Balamurgane, learned counsel for the petitioner and



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Mr.M.Nirmalkumar, learned Government Advocate (Pondicherry) for the respondents 1 to 3.

3. The petitioner was engaged in the Pondicherry Engineering College and his services have been regularised on 01.09.2006 in the cadre of Lower Divisional Clerk in the Pondicherry Engineering College. The petitioner was posted at CENTAC in the Pondicherry Engineering College. The third respondent Pondicherry Engineering College had given promotion to the juniors of the petitioner. But the petitioner has not been considered for promotion. Hence the petitioner has filed Writ Petitions in W.P.No.5432 of 2019 & W.P.No.2740 of 2021 seeking appropriate relief in this regard. When the Writ Petitions were pending, the third respondent has released the tentative seniority list for the post of Upper Divisional Clerk and in the said list, the petitioner was placed at S.No.3 instead of S.No.1. On 23.09.2021. The petitioner has raised objection to tentative seniority list released by the third respondent. But so far his objection has not been considered. If the tentative seniority list is finalised, the petitioner could be prejudiced. Hence the petitioner is before this Court.



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4. The fact that the petitioner has filed Writ Petitions in W.P.No.5432 of 2019 & W.P.No.2740 of 2021 for claiming promotion and other reliefs is not denied. The petitioner is aggrieved due to the release of the tentative promotional panel for the post of Upper Divisional Clerk. As per the claim of the petitioner, he should be placed in S.No.1 but he was placed at S.No.3. The petitioner contends that he was initially posted at CENTAC instead of Pondicherry Engineering College and that had affected his seniority.

5. Since the petitioner's objection to the tentative seniority list has not been so far considered, the third respondent has got the obligation to consider the same and pass orders.

6. In the result, this Writ Petition is disposed and the third respondent is directed to consider the objection raised by the petitioner by his representation dated 23.09.2021 to the tentative seniority list and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous



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petition is closed.

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21.03.2024

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

- 1.The chief Secretary,
Government of Puducherry,
Puducherry.
- 2.The Secretary to Government,
Department of Education,
Chief Secretariat,
Puducherry.
- 3.The Principal,
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R.N.MANJULA, J.

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