



WEB COPY



W.A. No.313 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM

THE HON'BLE MR. JUSTICE R. MAHADEVAN
AND
THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.A. No.313 of 2024

S. Elumalai

Appellant

v

1 The Director of Adi Dravida & Tribal Welfare
Ezhilagam
Chepauk
Chennai 600 005

2 The District Adi Dravida and Tribal Welfare Officer
Villupuram District

Respondents

Writ Appeal filed under Clause 15 of the Letters Patent challenging the
order dated 27.09.2023 passed in W.P. No.6438 of 2023.

For appellant

Mr. K. Venkataramani, Sr. Counsel
for Mr. M. Muthappan

For respondents

Mr. S. Yashwanth
Additional Government Pleader



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JUDGMENT

(delivered by R. MAHADEVAN, J.)

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The appellant filed a writ petition being W.P. No.6438 of 2023 challenging the proceedings dated 08.12.2022 of the second respondent, whereby and whereunder, the order dated 05.12.2022 promoting him as B.T. Assistant (Social Science) was cancelled.

2 A learned Judge dismissed the said writ petition *vide* order dated 27.09.2023 on the ground that merely because a mistake was committed in the counselling process, by virtue of which, the appellant's name found place at S.No.8 of the seniority list drawn in the ratio of 1:10, the said mistake will not enure to the benefit of the appellant just because of the fact that his immediate seniors have relinquished their promotion. The correctness of the said order passed by the Single Judge is under assail in this writ appeal.

3 Today, when this writ appeal was taken up for hearing, the learned Additional Government Pleader, by drawing the attention of this Court to a communication dated 26.02.2024 addressed by the second respondent, wherein, it is stated that the matter can be revisited for grant of promotion to the appellant as was done in the case of B.T. Assistant (English) and B.T. Assistant



W.A. No.313 of 2024

(Mathematics), submitted that in the case of the appellant, the respondents are inclined to proceed further in pursuance of the said communication.

4 The aforesaid submission of the learned Additional Government Pleader is recorded and this writ appeal stands disposed of with a direction to the respondents to take the matter to its logical conclusion in pursuance of the communication dated 26.02.2024 of the second respondent. No costs.

cad

[R.M.D, J.] [M.S.Q, J.]
21.03.2024



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R. MAHADEVAN, J.

and

MOHAMMED SHAFFIQ, J.

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To

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Ezhilagam
Chepauk
Chennai 600 005
- 2 The District Adi Dravida and Tribal Welfare Officer
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