



Writ Appeal No.4244 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 09.02.2024

CORAM

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU**

**Writ Appeal No.4244 of 2019
and C.M.P.No.26465 of 2019**

1. The Deputy Director of Health Services,
Tiruvannamalai, Tiruvannamalai District.
2. The Deputy Director of Health Services,
Cheyyar, Tiruvannamalai District.
3. The Deputy Director of Medical and Rural Health Services,
Tiruvannamalai District.
4. The District Family Welfare Officer,
Tiruvannamalai District.
5. The Joint Director of Health Services,
Government Headquarters Hospital,
Tiruvannamalai District.
6. The Deputy Director of Medical Services (Leprosy),
Tiruvannamalai District.
7. The Assistant Director of Veterinary Services,
Tiruvannamalai District.
8. The Assistant Director of Veterinary Services,
Arni, Tiruvannamalai District.



Writ Appeal No.4244 of 2019

WEB COPY

9. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
10. The Joint Director of Agriculture,
Tiruvannamalai District.
11. The Executive Engineer,
Agricultural Engineering,
Tiruvannamalai District.
12. The Secretary,
Market Committee,
Tiruvannamalai District.
13. The Deputy Registrar (Dairying),
331, Selvanagar,
Venkikal, Tiruvannamalai District.
14. The Divisional Engineer,
Highways, Tiruvannamalai District.
15. The Divisional Engineer,
Highways, Chengalpattu.
16. The Executive Engineer,
P.W.D., W.R.O.,
Special Scheme Division,
(Water Sources and Land Development),
Tiruvannamalai District.
17. The Executive Engineer,
P.W.D., W.R.O., Central Pennaiyar,
Basin Division,
Tiruvannamalai District.
18. The Superintending Engineer,
P.W.D., W.R.O., Penniyar Basin Circle,
Tiruvannamalai District.



Writ Appeal No.4244 of 2019

WEB COPY

19. The Inspector of Matric Schools,
Tiruvannamalai District.

20. The Divisional Engineer,
Highways, Tiruvallur.

... Appellants

Vs.

1. T.Gunasekaran
2. R.Gajendiran
3. C.Ganapathy
4. P.Ramu
5. K.Arivazhagan
6. K.Devendiran
7. A.Elumalai
8. A.Karthikeyan
9. A.P.Paramsivam
10. S.Annamalai
11. G.Ananandan
12. M.Muniyappan
13. J.Balraj
14. K.Shanmugam
15. A.Rajan
16. M.Harikrishnan
17. S.Kothandapani
18. M.Subramanian
19. P.Mani
20. D.Devaraj
21. A.Elangovan
22. V.Ramalingam
23. M.Soundararajan
24. K.Poongavanam
25. A.M.Hussain
26. A.Mohamed Kalimulla
27. V.Ramu
28. R.Mohanraj
29. S.Ramanan
30. N.C.Panneer Selvam
31. N.Vijayakumar
32. J.Selvaraj



Writ Appeal No.4244 of 2019

33. C.Chokkalingam
34. K.Venkatesan
35. M.Gnanasundaram
36. S.Ganesan
37. M.Gopal
38. K.Narsimhan
39. S.Venkatesan
40. R.Namasivayam
41. S.Gunasekaran
42. D.Balu
43. P.Mathi Oli
44. G.Velu
45. T.Sivaraj
46. D.Chandrababu
47. G.Saravanan
48. N.Babu
49. P.Prakasam
50. S.Gurusami
51. K.Sankaran
52. G.Sekar
53. V.G.Sekar
54. E.R.Mani
55. K.Kadirvelu
56. K.Sundaram
57. A.Ganesh
58. K.Raja
59. N.Murugesan
60. D.Basheer
61. C.Kandasamy
62. D.Ramalingam
63. P.Kannan
64. S.Nagarajan
65. S.H.Asim Sait
66. R.Dorairaj
67. K.Sridharan
68. G.Niyamadulla
69. N.Mani
70. K.B.Vijayaraghavan
71. M.Gunasekaran



Writ Appeal No.4244 of 2019

72. N.Thanajan

.. Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 16.11.2010 made in W.P.No.25889 of 2010.

For Appellant : Mr.K.Tippu Sultan
Government Advocate

For Respondents : R1 to R6, R8 to R11 [No
appearance]
R7, R13, R14, R16 to R72 [given
up]
R12 and R15 - Dismissed

JUDGMENT

(Judgment of the Court was delivered by R.SURESH KUMAR,J.)

This writ appeal has been directed against the order passed by the Writ Court dated 16.11.2010 made in W.P.No.25889 of 2010.

2. In the said writ petition, the learned Judge allowed the said writ petition for conferment of selection grade and special grade to the drivers, who were the petitioners before the learned Judge of-course by following the dictum of a Division Bench of this Court made in W.A.Nos.383 to 391 of 2009 by order dated 01.09.2009.



3. Today, when the writ appeal is taken up for hearing, Mr.K.Tippu Sulthan, learned Government Advocate appearing for the appellant Department would submit that, as against the order made in W.A.No.383 of 2009, the State preferred SLP in SLP(Civil)No.35969 of 2009 and the said SLP since was pending, during the pendency of the said SLP, this intra-court appeal has been filed and it is pending all along.

4. However, the said SLP has been dismissed subsequently on 25.02.2015, therefore, the issue decided in W.A.No.383 of 2019 since has been confirmed and it has been given a quietus, following the same only, since the impugned order dated 16.11.2010 was passed by the Writ Court, the said order also has to be confirmed as the present appeal has to face the same fate as that of the Writ Appeal No.383 of 2009.

5. The said fair submission made by the learned Special Government Pleader is taken on record.

6. In view of the same, this Writ Appeal deserves to be dismissed, accordingly, it is dismissed and the direction given by the learned Judge in allowing the writ petition through the impugned order, if not already



Writ Appeal No.4244 of 2019

been complied with shall be complied with within a period of six(6) weeks from the date of receipt of a copy of this order. No costs.

Connected miscellaneous petition is closed.

(R.S.K.,J.)

(K.B., J.)

09.02.2024

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation:Yes/No

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Writ Appeal No.4244 of 2019

R.SURESH KUMAR., J.
and
K.KUMARESH BABU.,J.

mp

Writ Appeal No.4244 of 2019

09.02.2024