



W.A.(MD) No.309 & 310 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

W.A.(MD)Nos.309 & 310 of 2024

and

C.M.P.(MD)Nos.2915 & 2916 of 2024

The Commissioner,
Madurai Corporation,
Madurai District.

... Appellant in both appeals

-Vs-

1.N.Arumugam

....1st Respondent in W.A.(MD)No.309/2024

1.G.Muniyandi

....1st Respondent in W.A.(MD)No.310/2024

2.The Secretary to the Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St.George,
Chennai-600 009.

..2nd Respondent in both appeals

COMMON PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 13.02.2023 made in W.P.(MD)Nos.4121 & 4122 of 2018.

In both appeals:

For Appellants : Mr.S.Vinayak

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For R1 : Mr.Ramsundar Vijayaraj
for M/s.Veera Associates

For R2 : Mr.T.Amjadkhan
Additional Government Pleader

COMMON JUDGMENT

[Judgment of the Court was delivered by *D.KRISHNAKUMAR, J.*]

Since the issue raised in both the matters are common, both the matters are disposed of by this common judgment.

2.The order dated 13.02.2023 in W.P.(MD)Nos.4121 and 4122 of 2018, is sought to be quashed in this intra court appeal.

3.The writ petitions filed by the writ petitioners/employees of the appellant Corporation seeking promotion were allowed directing the appellant Corporation to give eligible promotion to the writ petitioners by considering the length of service rendered by them.



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4.The learned counsel for the appellant Corporation submits that based on the directions issued by the learned Single Judge, necessary proposal/recommendation has been sent to the second respondent through the Director of Municipal Administration for considering the writ petitioners for the post of Junior Assistant and the same is pending with the second respondent. Hence, he submits that a direction shall be issued to the second respondent to take appropriate action on the recommendation submitted by the appellant. To that extent alone, the appellant corporation seeks modification of the order passed by the learned Single Judge.

5.The learned counsel for the first respondent has not raised any objection for such modification.

6.Considering the above submissions, this Court without going into the merits of the matter, directs that the second respondent to give promotion to the writ petitioners, if they are otherwise eligible, by considering the recommendation submitted by the appellant Corporation. The order of the learned Single Judge is modified only to the extent stated above. The other directions issued by the learned Single Judge shall remain unaltered.



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WEB COPY 7. With the above direction, these writ appeals are disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [P.D.B., J.]
04.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

The Secretary to the Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai-600 009



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AND
P.DHANABAL, J.

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