



W.P.(MD).No.2045 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2045 of 2024

K.Mayalagu

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram District.

3.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Village Administrative Officer from the date on which his juniors were given promotion i.e., 18.01.2024 with all other consequential benefits.

For Petitioner : Mr.V.Panner Selvam

For Respondents : Mr.R.Ragavendran,
Government Advocate



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ORDER

The present writ petition has been filed seeking direction to the respondents to promote the petitioner as Village Administrative Officer from the date on which his juniors were given promotion i.e., 18.01.2024 with all other consequential benefits.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner is a disabled person and he was selected and appointed as Village Assistant through employment exchange on 14.09.2007. He joined in service on 27.09.2007. The Government issued order in G.O.(Ms).No.254 dated 09.07.2015 to fill up the post of Village Administrative Officer by promoting the Village Assistant by reserving 20% vacancy for promotion. The petitioner's name was included in serial number 30 in a combined seniority list out of 318 persons for Ramanathapuram District for the post of Village Administrative Officer. Thereafter, a panel was prepared for the crucial date on 15.03.2022, in which the petitioner's name was placed in serial No.2. As per the panel, the 1st



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person M.Kalavathi and she was given with a promotion of Village Administrative Officer on 20.03.2023. The petitioner being the 2nd person in the list, the respondent ought to have promoted the petitioner. Despite the availability of sufficient vacancy, the petitioner was not promoted. However, the juniors of the petitioner, that is, the persons who were placed in serial no. 3, 5 and 6 in the said seniority list were promoted on 18.01.2024 and they marched over the petitioner in promotion. It is pertinent to note that another person whose name was not included in the panel was also promoted. Since the petitioner was not given promotion, the present writ petition came to be filed.

3. The learned Government Advocate on instructions vehemently submitted that those promotions were made pursuant to the order by this Court in W.P.(MD)Nos.4043 and 4047 of 2021 etc., batch dated 09.11.2022. The said submission is recorded.

4. Heard, the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Carefully perused the materials available on record.



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5. Regarding the said submissions of the learned Government Advocate, this Court is of the considered view that having accommodated the petitioner's name in serial No.2 in the promotion list as per the crucial date on 15.03.2022, the respondent ought to have promoted to the petitioner while implementing the aforesaid orders passed by this Court.

6. Hence, this Court hereby direct the repondents to promote the petitioner as Village Administrative Officer with effect from 18.01.2024. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands allowed. No costs.

20.02.2024

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



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L.VICTORIA GOWRI, J.

Sml

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