



WP(MD) No.13979 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.02.2024

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THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.13979 of 2020
and
W.M.P.(MD)No.11635 & 11636 of 2020

S.Premkumar

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
Rep. by its Principal Secretary,
Personal and Administrative Reforms Department,
Fort St.George, Chennai-9.
- 2.The Tamil Nadu Public Service Commission,
Rep. by its Secretary, 3, Frezar Bridge Road,
Chennai-3.
- 3.The Additional Chief Secretary/
Commissioner For Revenue Administration,
Chepauk, Chennai-5.
- 4.The District Collector,
Dindigul District .
- 5.The District Revenue Officer,
Dindigul District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus to call for records pertaining to the impugned seniority list issued by the Tamil Nadu Public Service Commission the 2nd respondent herein vide its proceedings vide letter No.2767/OTD-RF/2014 dated 30.01.2015 and the consequential impugned order issued by the Commissioner of Revenue Administration the 3rd respondent herein vide Letter. No Ser. 4(2)16026/2016 dated 03.10.2020 and quash the same as illegal and consequentially to direct the respondents to re-fixation of seniority list of Revenue Assistant based on the marks/ranks scored by the petitioner in the CSSE-1 Examinations 2009-2011 conducted by the Tamil Nadu Public Service Commission based on the petitioner's mark/rank.

For Petitioner : Mr.R.Rajaramanan
For Respondents : Mr.J.Anankumar for R2
Mr.NA.GA.Nataraj,
Govt, Advocate for R1, R3 to R5

ORDER

The issue that arise for consideration in this Writ Petition is with regard to the mode of fixation of seniority by the respondent No.2-TNPSC. Respondent No.2 initially fixed the seniority in the cadre of Revenue



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Assistant, which was subsequently re-designated as Senior Revenue Inspector. Whether seniority fixed based on the roster system followed while appointing the candidates selected by the respondent No.2 or in terms of the merit secured by the respective candidates in the selection list, is the issue that fall for consideration in this Writ Petition.

2. It is brought to the notice of this Court by the learned counsel appearing for respondent Nos.1 and 2 that prior to filing of this Writ Petition, the petitioner herein along with others filed W.P.(MD)No.5003 of 2018, raising the very same issue and after disposal of the said Writ Petition by order dated 10.02.2020, the matter went before the Division Bench of this Court in W.A.(MD)No.413 of 2021. During the pendency of the said Writ Appeal, the respondents 1 and 2 themselves have rectified the seniority by taking into consideration the decision of the Hon'ble Supreme Court in S.L.P.No.2886 of 2016, dated 21.01.2016, duly restoring the seniority of the petitioners and others in terms of the merit secured by them in the selection process and accordingly, revised seniority list was published by the District Collector, Dindigul in Ro.C.No.A1/10791/2019 (2018-2020), dated 22.04.2022 and the petitioner herein is duly placed in the said re-revised



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seniority list and he was also promoted subsequently to the post of Deputy Tahsildar based on the merits seniority.

3. In the light of the above, the present Writ Petition does not survive and the same is closed. Consequently, the connected miscellaneous petitions are also closed. There shall be no order as to costs.

15.02.2024

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

vsm



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