



W.A(MD)No.1725 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

**W.A(MD)No.1725 of 2024
and
C.M.P(MD)No.13255 of 2024**

1.The District Collector,
Ramanathapuram District.

2. The District Revenue Officer,
Ramanathapuram District.

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

... Appellants/ Respondents

Vs.

K.Mayalagu

... Respondent /Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order passed by this Court in W.P(MD)No.2045 of 2024 dated 20.02.2024.



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W.A(MD)No.1725 of 2024

For Appellants : Mr.Veerakathiravan
Additional Advocate General-III
assisted by
Mr.D.Sachi Kumar
Additional Government Pleader

For Respondent : Mr.V.Panneerselvam

JUDGMENT

(Order of the Court was made by **P.VELMURUGAN., J**)

This Writ Appeal is directed against the order passed by this Court in W.P(MD)No.2045 of 2024 dated 20.02.2024.

2. Heard the learned counsel appearing on both side and perused the materials placed on record.

3. The respondent/writ petitioner filed the writ petition for issuance of a direction to the respondents therein/appellants to promote the writ petitioner as Village Administrative Officer from the date on which his juniors were given promotion, ie., 18.01.2024 with all consequential benefits.



W.A(MD)No.1725 of 2024

WEB COPY

4. After considering the facts and materials, the learned Single Judge allowed the writ petition and directed the respondents to promote the writ petitioner as Village Administrative Officer with effect from 18.01.2024 within a period of twelve weeks. Challenging the same, the respondents therein have filed the present appeal.

5. The learned Additional Advocate General appearing for the appellants would submit that as stated by the respondent, no junior was promoted as Village Administrative Officer. The persons who were promoted as Assistant or Village Administrative Officer were not found place in the panel list of the year 2017-2018 as per the crucial date on 15.03.2022 whereas the respondent's name was not found place in the said panel list. Therefore, the appellants have challenged the order passed by the Writ Court.

6. A perusal of the order passed by the learned Single Judge shows that at the time of hearing, the learned Government Advocate on instructions, made



W.A(MD)No.1725 of 2024

WEB COPY

submissions before the learned Single Judge that those promotions were made pursuant to the order of this Court in W.P(MD)No.4043 and 4047 of 2021 etc., batch dated 09.11.2022. Now, it is represented that the appellants had not made that stand before the Writ Court. However, even the typeset of papers filed by the appellants at page No.73, the respondent's name finds place in Sl.No.2 and Seniority No.30. The other persons who were promoted based on the order passed in the above said writ petition finds place next to the respondent's seniority and serial number. Therefore, once the juniors were promoted based on the order passed in the writ petitions filed by them, while considering the directions of this Court, the appellants have to follow the seniority and the senior ought to be accommodated first prior to promoting the juniors. Under these circumstances, since this respondent was not given promotion when his juniors were given promotion, the learned Single Judge has rightly issued the direction to the appellants to promote the writ petitioner with effect from 18.01.2024 the date on which his juniors were promoted. Therefore, this Court finds no merit in the Writ Appeal calling for interference by this Court in the order of the learned Single Judge and hence, the Writ Appeal deserves to be dismissed.



W.A(MD)No.1725 of 2024

WEB COPY

7. In the result, the Writ Appeal is dismissed. No Costs. Consequently, connected miscellaneous petition is dismissed.

[P.V.,J.] [K.K.R.K.,J.]
30.09.2024

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



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W.A(MD)No.1725 of 2024

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and
K.K.RAMAKRISHNAN, J.

PJL

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30.09.2024