



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 06-08-2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP No. 18077 of 2013

& MP No.1 of 2013

R.Chinnappan,
No.147, Ottupattarari, Coonoor,
The Nilgiris- 643 105

Petitioner(s)

Vs

1.The District Collector,
Udhagamandalam, The Nilgiris

2. K. Jayaprakash,
Deputy Block Development Officer, Panchayat Union, Kothagiri, The
Nilgiris

3. R. Shivakumar,
Deputy Block Development Officer,
H.A.D.P., Office, Ooty, The Nilgiris.

4. M. Bharathi,
Deputy Block Development Officer, H.A.D.P., Office, Ooty, The Nilgiris

5. K.Vasanthammal,
Panchayat Union, Ooty, The Nilgiris.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent made in his proceedings



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Na.Ka.D1.No.19452/2012, dated 29.06.2012 only in so far as in fixation of the seniority of the petitioner and his juniors 2 to 5 are concerned and quash the same and consequently place the petitioner in serial no.28 in seniority list of Deputy Block Development Officer in Nilgiri District, over and above K.Jayaprakash and immediately after N.Ravichandran and consequently promote the petitioner as BDO at Nilgiris District from the date of his juniors were appointed and to grant all consequential monetary benefits/arrears and other retirement benefits and revise the pension accordingly(Prayer amended vide order dated 30.07.2025 made in WMP No.32161 of 2025 in WP No.18077 of 2013 by MSKJ).

For Petitioner : Mr.S.Silambanan, Sr counsel for
M/s.Profexs Associates

For Respondents : Mr.K.H.Ravikumar, GA for R1

ORDER

This Writ Petition has been originally filed, challenging the seniority list in the cadre of Deputy Block Development Officer vide proceedings in Na.Ka.D1.No.19452/2012, dated 29.06.2012 and to place the petitioner above the respondents 2 to 5 in the said seniority list and also sought for consequential relief to promote the petitioner to the post of Block Development Officer at Nilgiris District.



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"10. It is submitted that, it is true that, according to single service rules, a person should work as Deputy Block Development Officer (Panchayats) in the Block Office for the period of 1 year for getting promotion as Block Development Officer. The petitioner was retired from service on the afternoon on 28.02.2015. None of the persons mentioned by the petitioner has been promoted as Block Development Officer till date since the vacancy did not accrue. Therefore, the apprehension of the petitioner that the persons said to be the juniors acquired the service qualification for promotion as Block Development Officer deserves no consideration at this point of time."



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3. From the above, it is evident that the claim of the petitioner for promotion to the post of Block Development Officer, by placing him above the respondents 2 to 5 in the impugned seniority list, even if granted as sought for, will not serve any purpose as there was no vacancy available in the post of Block Development Officer prior to the date of superannuation of the petitioner.

4. In view of the same, even if the claim of the petitioner for seniority over and above the respondents 2 to 5 herein is accepted by this Court, the consequential relief of promotion to the post of Block Development Officer cannot be granted, as no vacancy arose in the post of Block Development Officer, prior to the date of superannuation of the petitioner on 28.02.2015.

5. In these circumstances, this Court does not see any reason to take up the matter for adjudication of the claim sought for by the petitioner in the Writ Petition, on merits. In case, if any of his junior was promoted, prior to 28.02.2015, it is open for the petitioner to take appropriate steps in accordance with law.



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6. Accordingly, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking order: Yes/No
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Mr.MUMMINENI SUDHEER KUMAR, J

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