



WEB COPY

W.A.No. 926 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No. 926 of 2024
and
C.M.P.No. 6545 of 2024

1.The Government of Tamil Nadu,
Rep. by the Secretary to Government,
Social Welfare and Nutritious Meal
Programme Department,
Chennai - 600009.

2.The Commissioner,
Social Welfare and Nutritious Meal
and Programme Department,
Chennai - 600 005.

3.The Project Co-Ordinator,
World Bank Assisted ICDS
Project - III,
Tharamani, Chennai - 113.

...Appellants

Vs.

1.K.Shanthi

2.R.Jayashree

3.G.Sarguna

4.R.Sathiya Maheswari

1/8



5.P.Poonguzhali

6.C.Poongodi

7.S.Gunasekar

8.K.Pechiammal

9.S.K.Lalitha

10.A.Thameemunisha

11.S.Sangeetha

12.T.Bhuvaneswari

13.Mr.R.Selvaraj,
District Project Officer,
Office of District Project Officer,
Thiruvavarur.

14.Mr.G.Ganasekaran,
District Project Officer,
Office of District Project Officer,
Namakkal.

15.Mr.N.Marimuthu,
District Project Officer,
Office of District Project Officer,
Nagapattinam.

16.Mr.M.Paneervelu,
District Project Officer,
Office of District Project Officer,
Erode.



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17.Mr.N.Pakkiarajan,
District Project Officer,
Office of District Project Officer,
Thiruvannamalai.

18.Mr.Paramasivan,
District Project Officer,
Office of District Project Officer,
Ramanathapuram.

19.Mrs.D.Mangayarkarasi,
District Project Officer,
Office of District Project Officer,
Perambalur.

.... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 01.04.2022 made in W.P.No.23697 of 2006.

For Appellants : Mr.Haja Nazirudeen
Additional Advocate General assisted by
Mr.P.Ananda Kumar, Govt. Advocate
For Respondents : Mr.V.Sithannan for R1
Mr.U.Karunakaran for R2 to R12

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

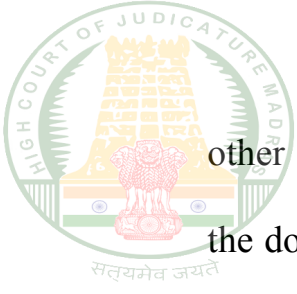
Several Writ Petitions were filed by the similarly placed persons,
challenging certain Government Orders which enable the private



respondents in the writ petitions to steal a march over the petitioners who were regularly appointed to the post of Child Development Project Officers (CDPOs).

2. The Writ Court, by a common order dated 01.04.2022, allowed the Writ Petitions and directed the 1st respondent to pass orders notionally re-fixing the seniority of the petitioners above the private respondents / irregular appointees and issue orders for notional promotion to the post of Assistant Directors from the date, on which, the private respondents were promoted together with service and monetary benefits. The Writ Court however, did not disturb the promotion or appointment of the private respondents as some of them had retired and their appointments were not challenged. It is this order, which is subject matter of challenge in this appeal.

3. As already stated, six writ petitions were taken up together and disposed of and the issue involved in all these writ petitions is one and the same. The Government has chosen to file this appeal only against one of the writ petitions namely, W.P.No.23697 of 2006. The order passed in the



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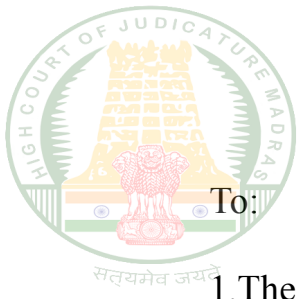
other writ petitions remains unchallenged. Therefore, the appeal is hit by the doctrine of constructive *res judicata*. Hence, this Writ Appeal, fails and

it is accordingly, **dismissed**. No costs. Consequently, connected miscellaneous petition is closed. The appellants will comply with the order of the writ Court within a period of eight weeks from the date of receipt of a copy of this order.

(R.S.M., J.) (G.A.M., J.)
28.03.2025

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Index: No
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