



WEB COPY

W.P.No.20990 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.20990 of 2025

R.Shivakumar

... Petitioner

Vs.

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai.

2. The Additional Chief Secretary to Government,
Housing and Urban Development Department,
Namakkal Kavingar Maligai, Secretariat,
Chennnai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of Mandamus, to direct the respondents to fix the seniority of the petitioner at the appropriate place in the light of the affidavit filed by the 1st respondent before the Hon'ble Supreme Court of India in S.L.P. (Civil) Diary No.13602/2020 and representation dated 05.05.2025 submitted by the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.V.Vijay Shankar



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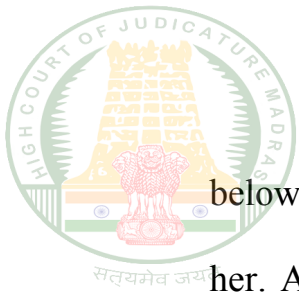
For Respondents : Mr.R.Thamarai Selvan for R1

: Mr.N.Naveen Kumar
Government Advocate for R2

ORDER

The writ petition has been filed to direct the respondents to fix the seniority of the petitioner at the appropriate place in the light of the affidavit filed by the 1st respondent before the Hon'ble Supreme Court of India in S.L.P. (Civil) Diary No.13602/2020, by considering his representation dated 05.05.2025.

2. The case of the petitioner is that, the present writ petition is the second round of litigation, wherein, the first round of litigation was in respect of promotion by filing writ petition in W.P.No.35457 of 2007. The said writ petition was allowed, directing the respondents to consider the petitioner to be appointed as Assistant Planner under direct recruitment category. Against which, when the Department preferred an appeal, the same was dismissed and ultimately, the Hon'ble Supreme Court confirmed the order of the Division Bench of this Court on 16.07.2024 in SLP.(Civil) Diary No.13602 of 2020. In pursuance thereof, the seniority of the writ petitioner has to be fixed immediately below one Mr.S.Panneerselvam, whereas, his seniority was fixed



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below one Ms.S.Santha Sudha, which according to the petitioner is junior to her. Aggrieved by the said placement, the petitioner has sent representation dated 05.05.2025, to the first respondent and the said representation is pending. It is the further submission of the petitioner that he is going to retire in March, 2026.

3. At this juncture, the learned Counsel for the first respondent would fairly submit that they would consider the petitioner's representation within a reasonable time.

4. Heard the learned counsel for both sides and perused the materials available on record.

5. In view of the above submission of the learned Counsel for the first respondent, without going into the merits of the matter, this Court deems it appropriate to direct the first respondent to consider the petitioner's representation dated 05.05.2025 and pass orders on it's own merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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In the result, the Writ Petition is disposed of with the above direction. No costs.

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veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai.
2. The Additional Chief Secretary to Government,
Housing and Urban Development Department,
Namakkal Kavingar Maligai, Secretariat,
Chennnai.



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C.KUMARAPPAN, J.

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