





S/o.Sellappan,
10/317, Valathasampatti,
Kattuvalavu, Olaipatti Village,
Mettur Taluk,
Salem - 636 453.

...

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P.No.24402 of 2018 dated 02.12.2024.

For Appellants : Mr.T.Chandrasekaran
Special Government Pleader

JUDGMENT

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

Challenge in this appeal is to the order of the learned single Judge made in W.P.No.24402 of 2018 dated 02.12.2024.

2. We see no merit in the appeal. Admittedly, the petitioners before the writ court are differently abled persons who had registered their names in the Employment Exchange in 2006 and 2011. When the recruitment took place, their names were not sponsored, thereby denying them an opportunity of employment in the year 2018. Therefore, they approached this Court immediately in 2018.

3. During the pendency of the writ petition, both the petitioners were appointed on 13.11.2024 as Junior Binders. The learned single Judge,
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however, took note of the failure on the part of the authorities to sponsor the names of the petitioners for the earlier recruitment and concluded that the petitioners would be entitled to at least seniority over and above those persons who were appointed by G.O.(Ms.)No.120 Tamil Development and Information Department dated 23.07.2018. Further direction was also issued to pay future salary from the date of their appointment, i.e. 13.11.2024 on the premise that they were appointed originally on 23.07.2018. Cost of Rs.50,000/- was also directed to be paid to each of the petitioners. Aggrieved, the Government is on appeal.

4. The fact that the petitioners in the writ petition had qualified for the post of Junior Binders and had registered their names in the Employment Exchange in 2006 and 2011 is not in dispute. It is also not claimed that the persons who were appointed in the year 2018 were seniors to the petitioners before the writ court. The denial of opportunity to the petitioners due to the non-sponsoring by the authorities has been sought to be compensated by the writ court. Once denial of opportunity is admitted, it is open to the court to devise a method by which such denial could be compensated.

5. In the case on hand, the writ court had only said that these two persons, though appointed in the year 2024, will be treated as having been



appointed on 23.07.2018 and they will be paid salary on the basis of they were appointed on the said date. We therefore see no ground to interfere with the order of the writ court.

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6. The Writ Appeal therefore fails and it is accordingly ***dismissed***.

The appellants are directed to comply with the orders of the writ court within a period of eight (8) weeks from the date of receipt of a copy of this order.

No costs. Consequently, the connected Miscellaneous Petition is closed.

(R.S.M., J.) (K.S., J.)
03.07.2025

Speaking order

Index : No

Neutral Citation : No

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To

1. The Secretary,
Government of Tamil Nadu,
Department of Tamil Development and Information,
Fort St.George, Chennai - 600 009.

2. The Principal Secretary,
Department of Welfare of Differently Abled Persons,
Government of Tamilnadu,
Fort St.George, Chennai - 600 009.

3. The State Commissioner,
Commissionarate of the Welfare of the Differently Abled,
Lady Willington College,
Kamarajar Salai, Mylapore,
Chennai - 600 004.

4. The Director of Printing and Stationary,
Mount Road, Anna Salai,
Chennai - 600 002.



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W.A.No.1992 of '25



R.SUBRAMANIAN, v.
and
K.SURENDER, J.

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W.A.No.1992 of 2025
and C.M.P.No.15065 of 2025

03.07.2025