



*W.P.(MD)Nos.14084 and 14085 of 2019*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED: 26.08.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.P.(MD)Nos.14084 and 14085 of 2019**

**and**

**W.M.P.(MD)Nos.10561, 10562 and 10563 of 2019**

**W.P.(MD).No.14084 of 2019:**

**R.Thirupathi**

**... Petitioner**

**Vs.**

**1.The State of Tamil Nadu,  
Represented by its,  
The Secretary to the Government,  
Rural Development & Panchayat Raj Department,  
Secretariat,  
Chennai – 2.**

**2.The Director,  
Rural Development & Panchayat Raj Department,  
Panagal Maligai,  
Saidapet, Chennai – 15.**

**3.The District Collector,  
Madurai District, Madurai.**

**4.The Block Development Officer (Block Panchayat),  
O/o.the Block Development Office,  
Madurai East Panchayat Union,  
China Chokkikulam,  
Madurai.**

**... Respondents**



W.P.(MD)Nos.14084 and 14085 of 2019

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned order passed by the 3<sup>rd</sup> respondent in his proceedings No.ந.க. 15/2019/உள.வ.-2, dated 14.06.2019 and quash the same as illegal insofar as the petitioner is concerned and consequentially to direct the respondents to promote the petitioner retrospectively as Junior Assistant from the date on which his immediate junior was promoted.

For Petitioner : Mr.Manish Kumar  
For M/s.Ajmal Associates

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader

W.P.(MD).No.14085 of 2019:

P.Kumaravel

... Petitioner

Vs.

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3. The District Collector,  
Madurai District, Madurai.

4. The Block Development Officer (Village Panchayat),  
O/o.the Block Development Office,  
Thirumangalam Panchayat Union Office,  
Thirumangalam,  
Madurai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3<sup>rd</sup> respondent in his proceedings No.ந.க. 15/2019/உள.வ.-2, dated 14.06.2019 and quash the same as illegal insofar as the petitioner is concerned and consequentially to direct the respondents to promote the petitioner retrospectively as Junior Assistant from the date on which his immediate junior was promoted.

For Petitioner : Mr.Manish Kumar  
For M/s.Ajmal Associates

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader

### **COMMON ORDER**

The petitioners have come forward with the Writ Petitions challenging the seniority list for the post of Assistant and consequently, prays for promotion retrospectively as Junior Assistant from the date on which their immediate junior was promoted.



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2. The learned Additional Government Pleader appearing for the respondents submitted that the petitioners herein have already filed Writ Petitions challenging their seniority fixed in the post of Junior Assistant. Now in the present Writ Petitions, they have challenged the seniority list of Assistants.

3. The major crux of the matter is that the petitioners have been wrongly placed under some of their juniors due to disciplinary proceedings pending against them. Their case regarding the seniority was already settled in the earlier Writ Petitions and reached its finality up to the filing of Special Leave Petition (Civil) Diary No.20902 of 2024. The Division Bench of this Court, in W.A. (MD).Nos.670 and 671 of 2022, had specifically observed that the petitioners herein have not approached this Court within reasonable time. They were promoted in the year 2011 and Writ Petitions were filed in the year 2018 after lapse of about six years from the date of their promotion. Further, the post of Junior Assistant for which the seniority claim is made is not a promotional post and only a selection post and the selection is to be made based on merit assessment. Thereby, their claim of seniority has been rejected.



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4. Since the petitioners have failed to get any relief with regard to claiming seniority in the cadre of Junior Assistant and consequently, they have also been promoted as Assistants, now they cannot seek seniority on the ground that their juniors in the cadre of Junior Assistant have been wrongly promoted. Further, it is seen that the rejection of their claim regarding seniority in the post of Junior Assistant has reached finality. Hence, the Writ Petitions are liable to be dismissed.

5. Accordingly, the Writ Petitions are dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**26.08.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
Lm



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**K.RAJASEKAR,J.**

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