



W.P.(MD)No.15658 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.15658 of 2022

M.Raju

: Petitioner

Vs.

1.The District Treasury Officer,
Ramanathapuram District,
Ramanathapuram.

2.A.Venkateswaran

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.6644/2019/A1 dated 02.11.2020, on the file of the first respondent and quash the same as illegal and consequently for direct to direct the first respondent to draw the seniority list for the year 1997 (I.e.) as on 15.03.1997 and grant promotion to the petitioner based on the seniority list of Accountant / Assistant drawn as on 15.03.1997 within the time period stipulated by this Court.



W.P.(MD)No.15658 of 2022

WEB COPY

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for M/s.Roy & Roy Associates
For Respondent No.1 : Mr.A.Baskaran,
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order dated 02.11.2020 passed by the first respondent rejecting the petitioner's request for notional promotion to the post of Accountant on the ground that the petitioner has not produced evidence to prove that his junior namely second respondent was promoted ahead of him. According to the petitioner, he is senior to the second respondent and therefore, he ought to have been promoted as Accountant ahead of the second respondent.

2.A counter affidavit has been filed by the respondents reiterating the contents of the impugned order. However, subsequent to the filing of this Writ Petition, the petitioner has obtained information under the Right to Information Act. As seen from the proceedings dated 09.08.2019, according to the learned



W.P.(MD)No.15658 of 2022

Senior Counsel appearing for the petitioner, the petitioner's seniority is higher to that of the second respondent, his junior.

3. On a *prima facie* consideration, this Court finds that the seniority of the petitioner under the proceedings dated 09.08.2019 obtained under the Right to Information Act reveals that the petitioner has been placed in Sl.No.32 whereas the second respondent's seniority has been placed in Sl.No.76. Eventhough learned Additional Government Pleader appearing for the respondents disputes the petitioner's contentions, this Court in the interest of justice, to provide one more opportunity for the petitioner to establish his contention that he is entitled to notional promotion as prayed for in this Writ Petition ahead of the second respondent, who has already retired from service, deems it fit to quash the impugned order and remand the matter back to the very same respondent for fresh consideration on merits and in accordance with law after providing an opportunity for the petitioner to submit his explanation as to why he has to be granted notional promotion as prayed for in this Writ Petition ahead of the second respondent within a time frame to be fixed by this Court.



W.P.(MD)No.15658 of 2022

4.For the foregoing reasons, the impugned order dated 02.11.2020 passed by the first respondent is hereby quashed and the matter is remanded back to the first respondent for fresh consideration on merits and in accordance with law. The first respondent shall permit the petitioner to submit an explanation as to why he is entitled for notional promotion ahead of his junior namely the second respondent. The petitioner is directed to submit his explanation within two [2] weeks from the date of receipt of a copy of the order to the first respondent, who on receipt of the said explanation, within the stipulated time, shall pass final orders on merits and in accordance with law within twelve [12] weeks, thereafter, after giving due consideration to the explanation submitted by the petitioner.

5.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

27.10.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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W.P.(MD)No.15658 of 2022

To
The District Treasury Officer,
Ramanathapuram District,
Ramanathapuram.



WEB COPY



W.P.(MD)No.15658 of 2022

ABDUL QUDDHOSE., J.

MR

W.P.(MD)No.15658 of 2022

27.10.2025