



W.A.(MD)No.2537 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.09.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A.(MD)No.2537 of 2025
and
C.M.P(MD)No.14501 of 2025

B.Shunmuganathan

...Appellant

/Vs./

1.Raj

2.The Director of Backward Classes Welfare,
Directorate of Backward Classes Welfare,
Chepauk, Chennai-5.

3.The District Backward Classes
and Minorities Welfare Officer,
O/o.District Backward Classes
and Minorities Welfare Office,
Ramanathapuram District.

... Respondents

PRAYER:- Writ Appeal - filed under Clause 15 of the Letters Patent, to
set aside the order passed in W.P.(MD)No.15800 of 2024 dated
15.07.2024 on the file of this Court.

For Petitioner : Mr.G.Karthik
for M/s.Roy and Roy Associates

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For R1 : Mr.S.Ramsundarvijayaraj
For R2 & R3 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

We have heard Mr.G.Karthik, learned counsel for the petitioner, Mr.S.Ramsundarvijayaraj, learned counsel for R.1 and Mr.S.P.Maharajan, learned counsel for R2 and R3.

2.In light of the detailed averments that have been made, there is no necessity for a counter. The challenge in this matter is to an order passed in W.P(MD)No.15800 of 2024, which had been filed by R1. The prayer therein is a Mandamus directing R2 in the writ petition ie., the District Backward Classes and Minorities Welfare Officer for implementation of the order of the first respondent being the Director of Backward Classes Welfare, Chennai, dated 26.02.2021.

3.Order dated 26.02.2021 is the subject matter of challenge in W.P(MD)No.6713 of 2021. That Writ Petition is pending. The first



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respondent in this Writ Appeal has been arrayed as R3 in that Writ Petition and has also filed a counter in that Writ Petition. Very briefly put the position of the appellant as the Tutor-cum-Warden in the Government Boys Hostel in Ramanathapuram District would depend on the decision taken in WP(MD)No.6713 of 2021.

4.That apart, the seniority panel for various years from 2021, in which the position of the appellant has been disturbed, has also been challenged in WP(MD)No.17448 of 2025 by the present appellant and that Writ Petition is also pending. In such circumstances, it would be appropriate that W.P(MD)No.6713 of 2021, W.P(MD)No.17448 of 2025 and W.P(MD)No.15800 of 2024 must be heard together.

5.Unfortunately R1 has not arrayed the present appellant as a party in W.P(MD)No.15800 of 2024, though we do believe that the appellant is a proper and necessary party. It is, in fact, for this reason, that he has been granted leave to challenge order dated 15.07.2024 that was impugned in W.P(MD)No.15800 of 2024.



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6.Faced with this position, learned counsel for R1, in recognition of the fact that all three Writ Petitions must be heard together, has filed a memo consenting to the setting aside of the order dated 15.07.2024 to enable the joint hearing of three Writ Petitions together. The memo reads as follows:

“1. We are appearing for the 1st Respondent in the Writ Appeal WA.(MD). No.2537/2025 on behalf of our client namely Mr.Raj. When the matter came before this Hon'ble court for the Admission on 02.09.2025, we made a submission that the issue involves in the W.A(MD)No.2537 of 2025 is relates to the pending W.P(MD) No.6713 of 2021 and W.P(MD) No. 17448 of 2025.

2. We made a submission before this Hon'ble Court to tag the writ petition in W.P(MD)No.6713 of 2021 and W.P(MD)No. 17448 of 2025 together and taken up for hearing. Hence, for the same the Hon'ble court directed us to file a memo.

3. It is submitted that hence the writ appeal may be disposed of with the direction to tag the writ petition in W.P(MD) No.6713 of 2021 and W.P(MD)No. 17448 of 2025 together and taken up for hearing to decide independently on merits.”

7.In light of the aforesaid, order dated 15.07.2024 passed in W.P(MD)No.15800 of 2024 is set aside. There is a direction to the



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Registry to club W.P(MD)No.15800 of 2024 along with W.P(MD)No. 6713 of 2021 and WP(MD)No.17448 of 2025 and list the matters before the appropriate Bench for disposal.

8.Needless to say, the setting aside of the impugned order is only to facilitate a holistic resolution of the issue and no benefit can be derived by virtue of the setting aside by either of the parties.

9.This Writ Appeal is disposed of on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
03.09.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
ps/ta



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To

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O/o.District Backward Classes
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