

W.P.(MD).No.23780 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.08.2025

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

WP(MD) No. 23780 of 2017

and

W.M.P(MD) Nos. 19962 to 19965 of 2017

- 1.N.Sithambara Chithra
Assistant Engineer (AE)
No.4, Chithralaya, Rukmani Subramanian Nagar,
1st Street, Melaputheri, Nagercoil,
Kanyakumari District.
2. K.Vijayalakshmi
Assistant Engineer (AE),
No.B 270, NGOB Cology,
Jawahar Nagar, Palayamkottai,
Tirunelveli – 07,
Tirunelveli District.
- 3.E.Jeyanthi,
Assistant Engineer (AE),
No.B 270, NGOB Cology,
Jawahar Nagar, Palayamkottai,
Tirunelveli – 07,
Tirunelveli District.
4. T.Yuvaraj Datchinamoorthy,
Assistant Engineer (AE),
No.13, Sivakami Illam,
Annamalaiyar Mill Colony,
Begampur Post, Dindigul,
Dindigul District.

... Petitioners



W.P.(MD).No.23780 of 2017

Vs.

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1. The Agricultural Production Commissioner and

Secretary to the Government,

Department of Agriculture,

Fort. St. George, Chennai – 600 009.

2. The Chief Engineer,

(Agricultural Engineering),

No.487, Anna Saalai,

Nandanam, Chennai – 600 035.

3.K.Suganthi,

Assistant Engineer (A.E),

O/o. The Assistant Executive Engineer (A.E.),

Thadagam Road, G.C.T. Post,

Coimbatore,

Coimbatore District – 641 013.

4.T.Subramanian

Assistant Engineer(A.E),

O/o. The Assistant Executive Engineer (A.E.),

Krishnankoil, Srivilliputhur,

Virudhunagar District.

... Respondents

PRAYER : To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned seniority list in the post of Assistant Engineer signed on 10.04.2017 on the file of the second respondent and quash the same as illegal and consequently to direct the respondents 1 and 2 to prepare the seniority of



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the petitioners in the post of Assistant Engineers, taking the date of initial appointment as regularized vide the G.O.Ms.No.94, Agriculture (Ve.Ni.3) Department, dated 26.05.2012 and accordingly promote the petitioners as the Assistant Executive Engineers within the time stipulated by this Court and pass any further or other orders as this Court may deem fit and proper under the circumstances of the case and thus render justice.

PRAYER in W.M.P.(MD)No.19962 of 2017:

To permit the petitioners to array the respondents 3 and 4 in the representative capacity designating, describing and representing all those who would be affected in the event of the petitioners succeeding in the instant Writ Petition and thus render justice.

PRAYER in W.M.P.(MD)No.19963 of 2017:

To dispense with the production of the original copy of the impugned seniority list in the post of Assistant Engineer signed on 10.04.2017 on the file of the second respondent for the present and thus render justice.

PRAYER in W.M.P.(MD)No.19964 of 2017:

To pass an order of interim stay of the operation of the impugned seniority list in the post of Assistant Engineer signed on 10.04.2017 on the file of the second respondent, pending disposal of the instant Writ Petition and thus render justice.



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WEB COPY PRAYER in W.M.P.(MD)No.19965 of 2017:

To pass an order of interim injunction restraining the respondents 1 and 2 from awarding promotion to the post of Assistant Executive Engineers to any Assistant Engineer (A.E) or Junior Engineer appointed after the initial appointment of the petitioners pending disposal of the instant Writ Petition and thus render justice.

APPEARANCE OF PARTIES:

For Petitioners: Mr.Rithik Sushil
for M/s.Lajapathi Roy
Mr.S.Louis
Mr.I.Pinaygash
Mr.T.Aswin Rajasimman
Mr.J.Ravichandran

For Respondents: Mr.J.Ashok
Additional Government Pleader for R1 & R2
R3 & R4 Batta due not ready - No appearance

JUDGMENT

Heard.



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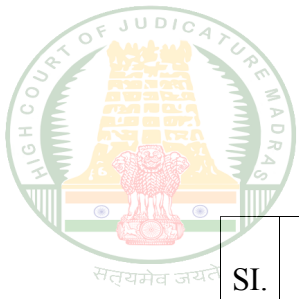
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2. The petitioners have filed this Writ Petition seeking issuance of a Writ of Certiorarified Mandamus to quash the seniority list dated 10.04.2017 in the post of Assistant Engineer issued by the second respondent and consequently to direct the respondents 1 and 2 to fix their seniority from the date of initial appointment, as regularised in G.O.(Ms.) No.94, Agriculture (Ve.Ni.3) Department, dated 26.05.2012, and to promote them as Assistant Executive Engineers.

3. The learned counsel for the petitioners and the learned Additional Government Pleader for respondents 1 and 2 submit that, in view of the Government's clarification issued in Letter(2D)No.195, Agriculture and Farmers Welfare (AA3) Department, dated 18.11.2022, the seniority of the petitioners and others has been fixed from the date of their initial appointment, thereby rendering the prayer sought in the writ petition infructuous.

4. Paragraph 7 of the counter affidavit filed by the second respondent reads as under:

“7. It is therefore submitted that as per the clarification of the Government in the Letter No.195, Agriculture and Farmers Welfare (AA.3) Department, dated 18.11.2022, the seniority of the petitioners and others was fixed from the date of initial appointment as follows:



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Sl. No	Name	Date of temporary appointment	Seniority No. in 01.01.2022 Draft Provisional Seniority List
1.	N. Sithambara Chitra	04.09.2000	512
2.	K. Vijayalakshmi	27.06.2005	686
3.	E. Jayanthi	04.08.2005	685
4.	T. Yuvaraja Dakshinamurthy	30.06.2005	688

Thus, the prayer of the petitioners has already been met with and the writ petition has become infructuous at this stage as their seniority was fixed from the date of initial appointment. In accordance to this, the First Petitioner was promoted as Assistant Executive Engineer and further as Executive Engineer also.”

5. In view of the above, the writ petition is dismissed as infructuous.

No costs. Connected miscellaneous petitions are closed.

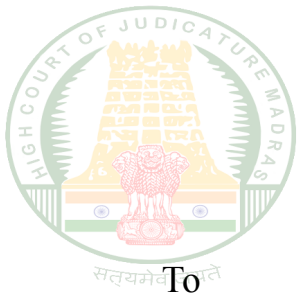
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Internet : Yes/No

Index : Yes/No

NCC : Yes/No

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DR.A.D.MARIA CLETE,J.

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