



WEB COPY

WP No. 11543 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11543 of 2026

AND

WMP No. 12593 OF 2026

K.Kalasamy
S/o.Kaliappan
No.234A, Rasikumaripalayam Street,
Mohanur, Namakkal District.

..Petitioner

Vs

1. The Secretary to Government
Municipal Administration and Water Supply Department
Fort St. George, Chennai.
2. The Director of Town Panchayat
Office of the Directorate of Town Panchayats
No.7th and 8th Floor,
Urban Administrative Office Campus
Chennai – 28.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant promotion to the petitioner as Special Grade Executive Officer with effect from 15.02.2029 and further 23.09.2025 as Assistant Director of Town Panchayat with effect from 23.09.2025 on par with his juniors and give him appropriate seniority, pay fixation and other arrears and pass orders.

For Petitioner:

Mr.Vijay Shankar

For Respondents:

Mr.C.Selvaraj
Additional Government Pleader [R1 & R2]



ORDER

The writ petition has been filed seeking a mandamus to the respondents to grant promotion to the petitioner as Special Grade Executive Officer with effect from 15.02.2019 and as Assistant Director of Town Panchayat with effect from 23.09.2025 on par with his juniors and to give him seniority, pay fixation and other arrears.

2. The petitioner was appointed as Junior Assistant on 10.08.1992 on compassionate grounds. Based on the Government Order in G.O.(3B) No.2 dated 25.01.2008, his services were retrospectively regularised from the date of his initial appointment i.e., on 10.08.1992. According to the petitioner, due to delay in regularising his service, he was not promoted to post the Executive Officer Grade-II in time, however, his juniors were promoted even as Executive Officer Grade-I. Thereafter, the issue relating to the seniority list of Ministerial Staff in Town Panchayat, which remained unsettled for long time, was decided by the Tamil Nadu Administrative Tribunal in OA.No.2526 of 1990 and the same was confirmed by the Hon'ble Supreme Court in SLP.No.17335/1994 dated 14.03.1997. As a result, the final State wide seniority list was published on 12.07.2013.



3. While so, the petitioner had learnt that one of his junior was promoted over and above him. When he approached the respondents with his representation, the same was rejected vide proceedings dated 09.02.2015. Aggrieved by the same, the petitioner was constrained to file W.P.No.12774 of 2015. This Court by order dated 25.07.2022, had allowed the writ petition, directing the respondents to grant notional promotion to the petitioner on par with his juniors along with monetary benefits. Challenging the order in W.P.No.12774 of 2015, the State preferred W.A.No.625 of 2023. The Division Bench of this Court by order dated 08.04.2025 had dismissed the appeal and confirmed the order of the learned Single Judge, and *inter alia* directed the State to include the name of the petitioner in the panel for 2006-2007 promotion for the post of Executive Officer Grade-II, by placing the petitioner just above his junior.

4. The petitioner would reiterate that since the Division Bench had directed the respondents to place him in the panel 2006-2007 promotion for the grade of Executive Officer Grade-II, vide its order in W.A.No.625 of 2023, it is incumbent upon the respondents to include the petitioner in the 2006-2007 panel for promotion as Executive Officer Grade-II. The petitioner had also submitted repeated reminders and representations to the respondents to implement the order of this Court in W.A.No.625 of 2023. However, the



respondents had not taken any action on the same, but they went on and granted promotions to two of his juniors in the post of Assistant Director of Town Panchayats in September 2025. The petitioner would also submit that at present, six posts of Assistant Directors in Town Panchayats are vacant. Therefore, he prays that if the orders of this Court in W.A.No.625 of 2023, is given effect to, then the petitioner would be promoted to the post of Executive Officer Grade-II with effect from 15.02.2019 and as Assistant Director of Town Panchayat with effect from 23.09.2025 on par with his juniors, and he shall be placed in appropriate seniority and to favour him with necessary monetary benefits and pay arrears.

5. Heard the learned counsel on either side and also perused the materials placed before this Court.

6. The Division Bench of this Court has passed the following directions in its order dated 08.04.2025 in W.A.No.625 of 2023 :

“15. After having gone through the order as well as the connected records, we do feel that there is absolutely no plausible reason for rejecting the request of the writ petitioner / respondent for including his name in the panel for promotion to the post of Executive Officer Grade II for the panel year 2006~07. Therefore, the learned Writ Court has rightly set aside the order dated 09.02.2015 and we do not propose to interfere with the same. However, it is made clear that by implementing the order passed by the Writ Court, which is



impugned herein, the writ petitioner/respondent shall be considered and be included in the panel of 2006~07 for promotion to the post of Executive Officer Grade II by placing him just above the junior of the writ petitioner/respondent in the Unit, to which he belongs. The exercise as indicated above shall be undertaken by the appellant Department within two months from the date of receipt of a copy of this order.”

7. The factum being that the order of this Court dated 08.04.2025 in W.A.No.625 of 2023 has not been complied with so far, a mandamus is issued to the respondents to comply with the same on or before 05.06.2026.

8. The writ petition is disposed of with the above directions. No costs.

Post the writ petition for 'reporting compliance' on 08.6.2026.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS



To:

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