

V.Jaganathan Vs. the Principal Commissioner.

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Court : Chennai

Decided On : Mar-02-2012

Judge : Vinod K.Sharma, J.

Appeal No. : W.P.No.122 of 2007 (O.A.No.7049 of 2001)

Appellant : V.Jaganathan.

Respondent : The Principal Commissioner.

Advocate for Def. : Mr.R.Ravichandran, Adv.

Advocate for Pet/Ap. : Mr.K.Selvaraj, Adv

Judgement :

PRAYER: This petition came to be numbered by transfer of O.A.No. 7049 of 2001 from the file of the Tamil Nadu Administrative Tribunal, for issuance of a writ in the nature of Certiorari, to quash the impugned order, dated 18.02.2001 with consequent relief for issuance of a writ in the nature of mandamus, directing the respondents to revise the panel so as to fix the name of the petitioner as No.5 in the approved list of Deputy Tahsildar for the year 2000.

ORDER

1. The petitioner has approached this Court with the prayer for issuance of a writ in the nature of Certiorari, to quash the order dated 18.02.2001 vide which 38

Assistants were included in the approved list of Deputy Tahsildar, Salem District for the year 2000.

2 For the reason best known to the petitioner, none of the persons selected are impleaded as parties to the writ petition. In the absence of necessary parties, the writ as framed is not competent, as in absence of party no adverse order can be passed.

3 The only prayer in the writ petition, is that the case of the petitioner was also required to be considered, as juniors to the petitioners were included in the approved list.

4 It is not disputed that the juniors to the petitioner are belonging to the scheduled caste, scheduled tribe and Most backward class category which form different class from that of the petitioner, and were promoted against the posts reserved for them.

5 The petitioner therefore, cannot have any grievance to promotion, as the petitioner cannot be considered for promotion to the posts reserved for SC, ST and M.B.C. No merit, dismissed.

No costs.

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