BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.6945 of 2026
and
W.M.P(MD).No.5732 of 2026

S.Premkumar ... Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Ezhilagam,
Chennai.

2.The District Collector,
Dindigul District.

3.The District Revenue Officer,
Dindigul District.

4.K.Maharaja,
Senior Revenue Inspector,
Ottanchathiram Taluk Office,
Dindigul District.

5.G.Mahesh,
Special Deputy Tahsildar,
O/o the Assistant Director Geology and Mining,
Dindigul District.

6.M.Vijayakumar,
Head Quarters Deputy Tahsildar,
Athoor Taluk,
Dindigul District.
7.V.Balagurunathan,
Special Deputy Tahsildar,

Election Section,
Collectroate, Dindigul,
Dindigul District.

(R5 to R7 are impleaded vide Court order dated 15.07.2026 in WMP(MD).No.14910 of 2026 in WP(MD).No.6945 of 2026) ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records pertaining to the orders passed by the 3rd respondent in his proceedings in NA.KA.No. 37918/2017/A2 dated 06.01.2024 and the revised order passed by the 3rd respondent in his proceedings NI.MU.No.E-37918/2017/A2 dated 30.06.2025 in so far as inclusion of 4th respondent in violation of section 38 2(b) (ii) of the Ministerial Service Act and inclusion of the candidates who did not join duty and joined duty and Left thereafter and quash the same and direct the respondents to publish the Revised Inter se seniority list in the cadre of Assistant and in the cadre of Deputy Tahsildar and promote the petitioner as a Tahsildar as per seniority with all other consequential benefits.

For Petitioner	:	Mr.V.Panneer Selvam
For R1 to R3	:	Mr.M.Dinesh Hari Sudarsan, Counsel for Government of Tamil Nadu (Civil Side)
For R4	:	Mr.C.Gangai Amaran
For R5 to R7	:	Mr.S.Louis

ORDER

The petitioner is a directly recruited Revenue Assistant in the Revenue Department, Dindigul District.

2. The dispute that arises for consideration in the present writ petition

relates to the fixation of inter se seniority in the cadre of Revenue Assistant in Dindigul District as between directly recruited Revenue Assistants and promoted Revenue Assistants.

3. According to the respondents, the inter se seniority is governed by the Tamil Nadu Ministerial Service Rules, particularly Rule 38(b)(ii) read with Annexure IX. In terms thereof, the inter se seniority was, for the first time, finalized through proceedings in Na.Ka.No.37918/2017/A2 dated 06.01.2024. In the said seniority list, the petitioner was assigned Serial No.46.

4. Aggrieved by the said inter se seniority list, the petitioner submitted objections contending that certain Revenue Assistants appointed through direct recruitment as well as by promotion had either not joined duty or had joined service and subsequently left. However, their names were still retained in the seniority list dated 06.01.2024. According to the petitioner, if the names of such persons were deleted, his position in the seniority list would improve.

5. At this juncture, it is necessary to note that the revised inter se seniority list dated 06.01.2024 was prepared with reference to the panel year 2012–2013, as contemplated under Annexure IX to the Tamil Nadu Ministerial Service Rules, taking the crucial date as 15.05.2013.

6. While matters stood thus, the fourth respondent, who was initially appointed as Typist on compassionate grounds, had not been considered for promotion to the post of Revenue Assistant in his due turn. Therefore, he approached the Government seeking appropriate directions for extending the benefit of promotion and restoration of his seniority in the cadre of Revenue Assistant. The Government, after considering the claim of the fourth respondent, issued G.O. (2D) No.45, Revenue and Disaster Management (Revenue Service-6(1)) Department, dated 22.01.2025, granting him promotion to the post of Revenue Assistant and directing that he be placed at Serial No. 40A in the inter se seniority list dated 06.01.2024. Pursuant thereto, the third respondent issued consequential proceedings in Ni.Mu.No.E-37918/2017/A2 dated 30.06.2025, inserting the name of the fourth respondent between Serial Nos.40 and 41 and assigning him Serial No.40-A.

7. Aggrieved by the said proceedings, the petitioner has filed the present writ petition contending that if the fourth respondent is accommodated at Serial No.40-A without suitably rearranging the subsequent promotee Revenue Assistants, the ratio of 1:2 between directly recruited and promoted Revenue Assistants prescribed under Paragraph 9 of Annexure IX to the Tamil Nadu Ministerial Service Rules would stand violated. Consequently, three promotee

Revenue Assistants would come to occupy consecutive positions, namely Serial Nos.40-A, 41 and 42, contrary to the prescribed rotational system.

8. Respondents 5 to 7 got themselves impleaded in the writ petition contending that if the relief sought for by the petitioner is granted, their seniority would be adversely affected.

9. The respondents 1 to 3 have filed a counter affidavit. The fourth respondent has also filed a separate counter affidavit. Likewise, respondents 5 to 7 have filed their respective counter affidavits.

10. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents, as well as the learned counsel appearing for the private respondents.

11. The benefit of promotion granted vide G.O. (2D) No.45, Revenue and Disaster Management (Revenue Service-6(1)) Department, dated 22.01.2025 in favour of the fourth respondent is not under challenge. None of the parties has questioned either the promotion granted to the fourth respondent or his entitlement to be placed in the inter se seniority list. The grievance of the petitioner is only that once the fourth respondent is inserted at Serial No.40-A,

the consequential rearrangement required under Paragraph 9 of Annexure IX has not been carried out.

12. As seen from Paragraph 9 of Annexure IX, the inter se seniority between directly recruited Revenue Assistants and promoted Revenue Assistants is regulated by a system of rotation. Under the said provision, the first vacancy is earmarked for a directly recruited Revenue Assistant, while the second and third vacancies are earmarked for promoted Revenue Assistants, and the rotation continues thereafter.

13. Therefore, while assigning Serial No.40-A to the fourth respondent, who is a promotee Revenue Assistant, the third respondent ought to have ensured compliance with the rotational ratio prescribed under Paragraph 9 of Annexure IX. After accommodating the fourth respondent at Serial No.40-A, the promotee Revenue Assistants placed below him ought to have been pushed down by one place, namely, the person at Serial No.41 should have been shifted to Serial No.42, the person at Serial No.42 to the next available promotee slot, and so on, without disturbing the positions of the directly recruited Revenue Assistants.

14. However, the third respondent, while issuing the proceedings dated

30.06.2025, failed to take note of the consequences flowing from Paragraph 9 of Annexure IX. As a result, the petitioner has rightly raised a grievance that the insertion of the fourth respondent at Serial No.40-A ought to have been followed by the consequential shifting of the subsequent promotee Revenue Assistants by one stage.

15. Accordingly, this Court is of the view that the impugned proceedings dated 30.06.2025, to the extent indicated above, are not in conformity with Paragraph 9 of Annexure IX to the Tamil Nadu Ministerial Service Rules and consequently require revision.

16. Insofar as the petitioner's contention regarding the inclusion of candidates who had either not joined service or had joined and subsequently left service is concerned, the same has to be examined with reference to the crucial date, namely 15.05.2013. If any candidate who had not joined service or was not in service as on the crucial date has been included in the inter se seniority list, such candidate's name shall necessarily be deleted. This exercise shall be undertaken by the respondents 2 and 3 in accordance with law.

17. Then coming to the contention of the learned Additional Government Pleader contending that the impugned proceedings dated 30.06.2025 has been

issued strictly in accordance with Rule 38(b)(ii) read with Paragraph 9 of Annexure IX to the Tamil Nadu Ministerial Service Rules and that the prescribed ratio of 1:2 between directly recruited Revenue Assistants and promoted Revenue Assistants has been duly maintained. He therefore prayed for dismissal of the writ petition.

18. This Court is unable to accept the said contention. Though the inter se seniority list dated 06.01.2024 was admittedly prepared by following the prescribed ratio of 1:2, the said ratio stood disturbed while issuing the proceedings dated 30.06.2025 by inserting the fourth respondent at Serial No. 40-A without making the necessary consequential adjustments. Therefore, the respondents cannot rely upon the correctness of the proceedings dated 06.01.2024 as the seniority list presently in force is the revised seniority issued through proceedings dated 30.06.2025.

19. In the result, the writ petition is partly allowed, directing the third respondent to revise the impugned seniority list issued through proceedings in Ni.Mu.No.E-37918/2017/A2 dated 30.06.2025 by accommodating the fourth respondent at Serial No.40-A and, thereafter, by pushing down the subsequent promotee Revenue Assistants from Serial No.41 onwards by one stage, without disturbing the positions of the directly recruited Revenue Assistants. The respondents shall also undertake an exercise to delete the names of candidates

who had not joined service and who were not in service as on the crucial date, namely 15.05.2013, if any was included in the inter se seniority list dated 30.06.2025, and issue consequential revised proceedings. The entire exercise as directed above shall be completed as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions, if any, are closed.

03.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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<u>To</u>

1.The Commissioner of Revenue Administration, Ezhilagam, Chennai.

2.The District Collector, Dindigul District.

3.The District Revenue Officer, Dindigul District.

<u>MUMMINENI SUDHEER KUMAR,J.</u>

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