



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2015

CORAM:

THE HONOURABLE DR.JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

W.P(MD)No.4206 of 2015

K.Hemalatha

... Petitioner

Vs.

1.The Registrar General,
The High Court of Judicature,
Chennai.

2.The Principal District Judge,
Theni District,
Theni.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorari, to call for the records pursuant to the impugned order passed by the 2nd respondent in letter dated 12.3.2015 consequently quash the report and revised seniority list dated on 1.7.2014 by the Appointing Committee and quash the same.

For Petitioner	: Mr.K.Mahendran for Mr.K.Maharajan
For Respondents	: Mr.N.Mohideen Basha

ORDER

(Order of the Court was made by S.TAMILVANAN,J)

This writ petition has been filed invoking Article 226 of the Constitution of India, seeking an order in the nature of Writ of Certiorari to call for the records pertaining to the letter dated 12.03.2015 issued by the Principal District Judge, Theni, the second respondent herein and quash the same and consequently to revise the seniority list dated 11.07.2014 by the competent authority.

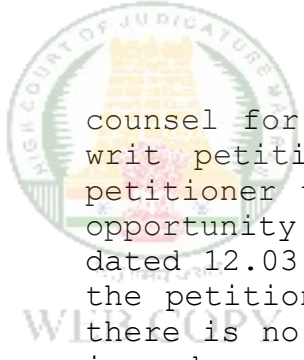
2.Mr.K.Mahendran, learned counsel appearing for the petitioner drew the attention of this Court to Page Nos.20 and 21, a xerox copy of the memorandum issued by the Principal District Judge, Theni, the second respondent herein wherein for fixation of seniority, a provisional list has been issued.

3.It is also not in dispute that the persons who have objections in the seniority as per the provisional list are entitled to submit their objections on or before 31.03.2015.

4.Learned counsel appearing for the petitioner submits that the petitioner was selected to the post of Typist by the Tamil Nadu Public Service Commission. However, as per the earlier order, dated 01.07.2014 much juniors who were promotees to the cadre of Junior Assistants were placed above the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The aforesaid submission would not be sufficient to maintain this writ petition as contended by Mr.N.Mohideen Basha, learned standing



counsel for the respondents that there is no cause of action to maintain writ petition since there is no legal grievance, it is open to the petitioner to submit her objection in respect of seniority when there is opportunity provided by the second respondent, by the impugned memorandum dated 12.03.2015. Without submitting objection in writing, straight away, the petitioner cannot approach this Court by way of writ petition, since there is no legal grievance and the second respondent himself has legally issued memorandum providing opportunity to the petitioner on similarly placed employees working under the second respondent. Hence, the petitioner is at liberty to submit her written representation or objection before the second respondent through proper channel, according to law before the said date.

6. With the above observation, the writ petition is dismissed. No costs. Consequently, M.P(MD)Nos.1 and 2 of 2015 are closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To

1. The Registrar General,
High Court, Madurai.

2. The Principal District Judge,
Theni District, Theni.

sm:13.04.2015:2P/3C

W.P (MD) No. 4206 of 2015
24.03.2015