



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.10507 of 2016

WEB COPY

S.Bharathi

.. Petitioner

vs.

1.The Director of Medical and Rural Health Services,
Chennai.

2.The Director of Medical Education,
Poonthamallee High Road,
Kilpauk, Chennai.

3.The Dean,
Tirunelveli Medical College,
Tirunelveli.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the petitioner's representations, dated 25.03.2015, 20.11.2015 and 06.05.2016 and pass orders re-fixing the position of the petitioner's seniority as No.882-A on the basis of earlier order, dated 12.11.2013 re-fixing the petitioner's seniority in the Post of Junior Assistant and do the same for all further promotion and grant all service and monetary benefits within the time fixed by this Court.

For Petitioner :Mr.H.Arumugam

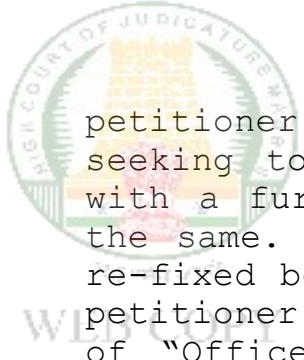
For Respondents :Mr.R.Anandaraj,
Government Advocate

ORDER

Mrs.S.Bharathi, has again visited this Court by filing the present Writ Petition, seeking for issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representations, dated 25.03.2015, 20.11.2015 and 06.05.2016, wherein, she sought for re-fixing her seniority on the basis of his earlier order, dated 12.11.2013, in the Post of Junior Assistant.

2. Mr.R.Anandaraj, learned Government Advocate takes notice for the respondents.

3. The petitioner with the grievance of not properly placing her name in the seniority list, earlier approached this Court by filing a Writ Petition in W.P(MD)No.2760 of 2008, praying to issue a Writ of Mandamus, directing respondents 1 and 2 therein to fix her seniority above serial No.4 in the tentative seniority list of Junior Assistant-cum- Typist, as on 01.01.2001, by taking into account her date of appointment as 13.07.2000, with consequential benefits. This Court by order, dated 04.02.2011, after considering the case of the petitioner, had directed the



petitioner to make a representation before respondents 1 and 2, seeking to refix her seniority as claimed in the Writ Petition with a further direction to the respondents 1 and 2 to consider the same. Pursuant thereto, the seniority of the petitioner was re-fixed below one Chandran. While so, now, the grievance of the petitioner is that when the new tentative seniority for the Post of "Office Superintendent" was prepared, instead of considering the position obtained by the petitioner below Chandran as per the earlier order passed by this Court, the respondents once again omitted to include her name in Serial Nos.158(A) or 159 and wrongly placed her against Serial No.247. The representations dated on 25.03.2015, 20.11.2015 and 06.05.2016 given by the petitioner in that regard, have not been considered by the respondents, and till date, no order has been passed. In the meanwhile, the respondents have proceeded to prepare the tentative seniority list. Hence, she has come to this Court.

5. Considering the limited prayer made in this Writ Petition, the petitioner is directed to give copies of representation, dated 25.03.2015, 20.11.2015 and 06.05.2016 to the respondents and immediately on receipt of the same and a copy of this order, the first and second respondents are directed to consider and pass orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Director of Medical and Rural Health Services,
Chennai.
- 2.The Director of Medical Education,
Poonthamallee High Road,
Kilpauk, Chennai.
- 3.The Dean,
Tirunelveli Medical College,
Tirunelveli.

+1cc to Mr.H.Arumugam, Advocate SR NO: 30780

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 30836

pm

JA-AA-MPA-SAR.III/24.6.2016/2P:6C