

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2017

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.27142 of 2009  
& M.P.No.1 of 2009

S.Manimegalai

... Petitioner

Vs

- 1.The Director,  
Department of Public Health and  
Preventive Medicine,  
D.M.S. Complex,  
Teynampet,  
Chennai 600 018.
- 2.The Commissioner of Employment,  
State Directorate of Employment Office,  
Guindy,  
Chennai.
- 3.The Assistant Director,  
District Employment Office,  
Erode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the 1<sup>st</sup> respondent to appoint the petitioner based on her employment exchange seniority in the post of Laboratory Technician Grade III for which interview was held on 01.06.2009 by call letter of the 1<sup>st</sup> respondent Na.Ka.No.10819/Pa.Tho.2./Eru/2008 dated 14.05.2009 and grant her all attendant benefits.

For Petitioner : Mr.A.Arulmozhi

For Respondents: Mr.M.Perumal  
Government Advocate

O R D E R

The relief sought for in this Writ Petition is for a direction, directing the 1<sup>st</sup> respondent to appoint the petitioner based on her employment exchange seniority in the post of Laboratory Technician Grade III for which interview was held on 01.06.2009 by call letter of the 1<sup>st</sup> respondent Na.Ka.No.10819/Pa.Tho.2./Eru/2008 dated 14.05.2009 and grant her all attendant benefits.

2.The learned counsel appearing on behalf of the writ petitioner fairly made a submission that during the relevant point of time, when the Writ Petition was filed, the petitioner has not reached seniority in respect of her registration in the Employment Exchange. The counter filed by the respondent also states that the name of the writ petitioner was sponsored and she was not selected, on account of the fact that the petitioner had not reached the required seniority. Thus, no further adjudication on merits is required. However, it is made clear that the respondents are bound to consider the name of the writ petitioner in accordance with her employment seniority, whenever an occasion arises, seeking for the list of candidates in accordance with the rules in force.

3.Accordingly, this Writ Petition is closed. However, there is order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

gsa  
To

- 1.The Director,  
Department of Public Health and  
Preventive Medicine,  
D.M.S. Complex,  
Teynampet, Chennai 600 018.
- 2.The Commissioner of Employment,  
State Directorate of Employment Office,  
Guindy, Chennai.
- 3.The Assistant Director,  
District Employment Office, Erode.

+ 1 cc to MR. A. Arulmozhi, Advocate Sr.83050  
+ 1 cc to Government Pleader Sr.83641

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DR(CS)  
EU(13/12/2017)