

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.30887 of 2018

J.Kalaimagal

.... Petitioner

Vs

1.The Director of Animal Husbandry and Veterinary Service, Integrated Animal Husbandry and Fisheries Department, No.571, Anna Salai, Veterinary Hospital Campus, Nandanam, Chennai-600 035.

2.The Director, Institute of Veterinary and Preventive Medicine, Ranipettai 632 401, Vellore District.

...Respondents

Prayer:Writ Petition filed under 226 of the Constitution of India, praying to issue a writ of Mandamus directing the 1st respondent herein to pass appropriate orders for fixation of seniority of petitioner in Serial No.10 between Thiru Elumalai and Shakina Margrace in the cadre of Lab Assistant on merit and in accordance with the Law by disposing of the petitioners Appeal dated 2.5.2018 preferred against the order of the 2nd respondent in Proceedings No. Na. Ka. No. 8863/E/2016 dated 13.7.2017 pending on the file of the 1st respondent herein within a stipulated period of time as prescribed by the Honourable Court.

For Petitioners : Mr.K.Shanmugam

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The petitioner, who was working as a lab assistant in the second respondent institution suffered a punishment of stoppage of increment for a period of three months with cumulative effect. Challenging the punishment, the petitioner preferred an appeal dated 02.05.2018, which is pending before the first respondent. That apart, she is also aggrieved over the seniority list, published by the second respondent. It is the grievance of the petitioner that her seniority should be 10 and not 11 and seeking correction of the same, the petitioner has preferred an appeal dated 02.05.2018.

2. Mr.A.N.Thambidurai, learned Special Government Pleader takes notice for the respondents and submits that unless the punishment issue is decided, the issue of seniority cannot be decided and therefore the disposal of the appeal against the punishment would be sufficient.

4. Learned counsel for the petitioner submits that subject to the result of the appeal filed against the punishment, there can be consequential order in this appeal against the seniority list also.

4. In the above circumstances, this writ petition is disposed of directing the respondents to dispose of the appeal filed by the petitioner dated 02.05.2018 against the seniority list, subject to the outcome of the other appeal filed by the petitioner against the punishment of stoppage of increment, and pass orders thereon, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Director of Animal Husbandry and Veterinary Service, Integrated Animal Husbandry and Fisheries Department, No.571, Anna Salai, Veterinary Hospital Campus, Nandanam, Chennai-600 035.

2.The Director, Institute of Veterinary and Preventive Medicine, Ranipettai 632 401, Vellore District.

+1cc to Mr.K.Shanmugam, Advocate, S.R.No.79921

+1cc to the Government Pleader, S.R.No.80961

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VBA(CO)
GSP(11/12/2018)

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