

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26689 of 2008
and M.P. No.1 of 2008

G.Thara Eswari

.. Petitioner

-vs-

1.The District Collector,
Cuddalore District at
Cuddalore.

2.The Assistant Director (Panchayat),
Cuddalore.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for records relating to the first respondent's impugned order made in Na.Ka.Pa.Aa2/5545/07 dated 05.06.2008 to quash the same in so far as paragraph-15 of the said proceedings is concerned and consequently direct the respondents to promote the petitioner as Extension Officer, Deputy Block Development Officer and Block Development Officer, from the date on which her immediate junior was promoted as such respectively on the basis of her placement in the Assistants list of the proceedings made in Na.Ka.23223/97/Pa.Aa.4 dated 31.05.2005.

For Petitioner : Mr.L.Chandrakumar

For respondents: Mr.K.Ravikumar,
Additional Government Pleader

ORDER

The writ petition has been filed challenging the impugned order bearing No.Na.Ka.Pa.Aa2/5545/07 dated 05.06.2008 and seeking a direction to the respondents to promote the petitioner as Extension Officer, Deputy Block Development Officer and Block Development Officer, from the date on which her immediate junior was promoted.

2. When the matter was taken up for hearing, learned Additional Government Pleader appearing for the respondents, reiterating the averments made in the counter affidavit, would submit that the petitioner was appointed as Junior Assistant under compassionate grounds at Thanjavur District on 15.10.1980. While the petitioner was working as Assistant, she was served with a Charge Memo for the irregularities committed by her in the performance of her legitimate duties and also for insubordination to the order of the District Collector and she was imposed with a penalty of stoppage of increment for three months without cumulative effect as per order dated 09.05.1998 in the check period of promotion and her name was passed over in the approved panel prepared for the year 2000-2001 for the promotion to the next cadre of Extension Officer. Subsequently, the petitioner was given promotion as Block Development Officer vide Proceedings dated 03.02.2014 and she was also promoted as Assistant Director, IFAD on 23.03.2017 vide G.O. No.120 Rural Development and Panchayat (E1) Department dated 16.03.2017 and retired from service as Assistant Director (Panchayats) on 31.12.2018. Therefore, the learned Additional Government Pleader appearing for the respondents urged this Court to dismiss the writ petition.

3. Since the learned Additional Government Pleader appearing for the respondents would submit that the petitioner was given promotion as Block Development Officer vide Proceedings dated 03.02.2014 and she was also promoted as Assistant Director, IFAD on 23.03.2017 vide G.O. No.120 Rural Development and Panchayat (E1) Department dated 16.03.2017 and she has retired from service as Assistant Director (Panchayats) on 31.12.2018, the prayer seeking a direction to the respondents to promote the petitioner as Extension Officer, Deputy Block Development Officer and Block Development Officer cannot be granted. Accordingly, the writ petition is dismissed as nothing further survives for adjudication. Consequently, connected M.P. is closed. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Cuddalore District at
Cuddalore.

2.The Assistant Director (Panchayat),
Cuddalore.

+lcc to Mr.L.Chandrakumar, Advocate sr.33645
+lcc to Government Pleader sr.34769

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rsi(co)
nr 18/06/2019



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