

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

Writ Petition No.20353 of 2019

Deepthi Arivunithi
District Judge,
Kalpataru Complex,
Flat No.16, III Floor,
No.44, C.P.Ramasamy Road,
Alwarpet, Chennai - 18.

... Petitioner

Vs

1.The Secretary to Government,
Public Department (Special A),
The Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.The Registrar General,
High Court of Madras,
Chennai - 600 104.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing first respondent to consider to representation of the petitioner dated 18.07.2018 with respect to her placement in the 19th roster position, in 200 point roster and in second position in G.O.Ms.No.5 Public (Special-A) dated 02.01.2014, published in Tamil Nadu Government Gazette Publication, dated 22.01.2014, within a time frame.

For Petitioner : Mr.P.Raja
For Respondents: Mr.V.Shanmuga Sundar,
Special Government Pleader [R1]
Mr.B.Vijay [R2]

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing first respondent to consider to representation of the petitioner dated 18.07.2018 with respect to her placement in the 19th roster position, in 200 point roster

and in second position in G.O.Ms.No.5 Public (Special-A) dated 02.01.2014, published in Tamil Nadu Government Gazette Publication, dated 22.01.2014, within a time frame.

2. Petitioner was placed in 14th position with reference to her batch applying roster i.e. the petitioner was placed 14 amongst 23 members. Petitioner has taken charge from 09.01.2014 and after having completed the mandatory training and passing of accounts test for Executive Officer, as contemplated in the Recruitment Rules, her probation stood declared vide communication dated 10.08.2017. It is the further case of petitioner that at the time of recruitment, a total 8 number of posts were available for the General Turn candidates, out of which, 4 were earmarked for women. While so, a communication dated 23.12.2016 was received by petitioner from the second respondent, by which, a reply was sought for with reference to the representation, submitted by other District Judges, pertaining to inter se seniority fixation, in 1:3 ratio. At that time only, petitioner verified the details of her placement and she came to understand in the year 2017 that the roster point system for her batch had commenced from Roster Point No.18 in the 200 point roster and to her utter shock, petitioner came to understand that she had been wrongly placed at 31st roster position, owing to which the candidates, who were placed below the petitioner, in the order of merit, have been placed above the petitioner by applying the horizontal reservation, in the 19th and 29th roster turn. Hence, petitioner submitted a representation to the second respondent on 19.01.2017, but no action has been taken on such representation. Again, petitioner sent another representation on 18.07.2018 to respondents seeking to place the petitioner in the correct roster position. But till date, the roster position is not corrected and she has received the Annual list for the year 2019, on 26.06.2019 wherein, the same roster position is maintained. Hence, petitioner has filed the present Writ Petition seeking the aforesaid relief.

3. Heard learned counsel for petitioner, learned Special Government Pleader for first respondent and learned counsel for second respondent.

4. Considering the limited relief sought for in this Writ Petition, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to pass orders on the petitioner's representation dated 18.07.2018 on merits and in accordance with law, within a period of six weeks from the date of receipt of this order.

The Writ Petition is disposed of with the above direction.
No costs.

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

gm
To

1. The Secretary to Government,
Public Department (Special A),
The Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
2. The Registrar General,
High Court of Madras,
Chennai - 600 104.

Copy to
The Section officer
Legal Cell
High Court, Madras 104.

+1 CC to Mr.P.Raja, Advocate sr 90774
+1 CC to Govt. Pleader sr 91118.

Writ Petition No.20353 of 2019

सत्यमेव जयते

PA(CO)
SP(26/11/2019)

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