



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.11483 OF 2021

R.Swarnalatha

... Petitioner

Vs.

1.The Registrar General,
High Court,
Chennai - 600 104.

2.The Principal District Judge,
Salem, Salem District.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records pertaining to the order passed by the second respondent in his proceedings Roc.No.13847/2017/Sher.(S) dated 14.05.2019 and modified the order passed by the first respondent in his Proceedings in R.O.C.No.53594/2019/C1, dated 04.02.2020 and quash the same, and direct the respondents to consider for redeployed post of bench clerk grade III to the petitioner from the date of her juniors and confer all the consequential benefits.

For the Petitioner : Mr.P.Ganesan

For the Respondents : Mr.M.Santhanaraman

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The matter had been adjourned on a previous occasion upon the petitioner's representation that though the order of punishment was modified in the departmental appeal, the effect of the appellate order was given from the date of such order and not earlier.



2. When any order in any judicial or quasi-judicial proceedings is carried in appeal and the original order is modified, the effect thereof is as if the original order had not been passed and the original order as modified had been passed. The same is the situation if the original order is vacated in appeal, the effect is as if the original order had never been passed.

3. It is submitted on behalf of the High Court administration that in terms of the appellate order, action has been taken.

4. The petitioner confirms such position.

5. Accordingly, W.P.No.11483 of 2021 is disposed of. W.M.P.Nos.12221 and 12224 of 2021 are closed. There will be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To:

1.The Registrar General,
High Court,
Chennai - 600 104.

2.The Principal District Judge,
The Principal District Court,
Salem, Salem District.

+1cc to Mr.P.Ganesan, Advocate, S.R.No.46105

W.P.No.15451 of 2021

SRA (CO)
PM/16/09/2021