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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

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

W.P.No.1616 of 2022

South Region Integrated Govt. Steno Typists and
Assistants Welfare Association,
Having Reg. No. 29/2018,
Rep. by its President,
K.Kanagarathna,
No. 8, Meena Valli Illam,
Periyar Nagar II Street,
Madakkulam,
Madurai - 625 003.

...Petitioner

vs

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Fort St. George,
Chennai - 600 009.
- 2.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai - 600 009.
- 3.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Agricultural Department,
Fort St. George,
Chennai - 600 009.
- 4.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Commercial Taxes Department,
Fort St. George,
Chennai - 600 009.

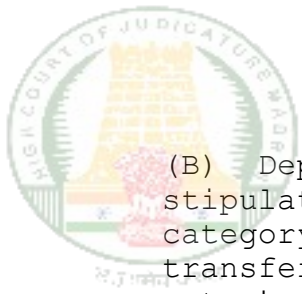


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- 5.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
- 6.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Collegiate Education Department,
Fort St. George,
Chennai - 600 009.
- 7.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Survey Department,
Fort St. George, Chennai - 600 009.
- 8.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 9.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
- 10.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.
- 11.The Director of Medical and Rural Health Service,
No. 359, Anna Salai,
Chokkalingam Nagar,
Teynampet, Chennai - 600 006.
- 12.Tamil Nadu Public Service Commission,
Represented by its Secretary,
Park Town,
TNPSC Road,
V.O.C. Nagar,
Chennai - 600 003.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a Writ of Declaration declaring that Rule 9(f) of the Special Rules for Tamil Nadu Ministerial Service as amended by G.O.Ms. No.163, Personnel and Administrative Reforms



(B) Department, dated 19.11.2010 insofar as the said rule stipulates that only 5% of the estimated vacancies in the category of Assistants in a Department shall be filled by transfers from the category of Steno-Typists Grade-III who has put in not less than 5 years of service is arbitrary and violative of Articles 14 and 16 of the Constitution of India and consequently direct the eleventh respondent to prepare a panel of combined seniority list of Junior Assistants, Typists and Steno-Typists Grade-III based on the seniority assigned by the twelfth respondent and make promotion to the posts of Assistants in the Tamil Nadu Ministerial Service from the said panel.

For the Petitioner : Mrs.Nalini Chidambaram,
Senior Counsel for
M/s.C.Uma

For the Respondents 1 to 11 : Mr.P.Muthukumar,
Government Pleader

ORDER

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

Learned counsel for the petitioner seeks to withdraw the writ petition with liberty to file a fresh writ petition by the individual Steno-Typists Grade-III aggrieved by the amended Rule 9(f) of the Special Rules for Tamil Nadu Ministerial Service.

In view of the above, the writ petition is dismissed as withdrawn with liberty as prayed for. Consequently, W.M.P.No. 1758 of 2022 is closed. There will be no order as to costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

vjt

To:

- 1.The Principal Secretary to Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St. George,
Chennai - 600 009.
- 2.The Secretary to Government of Tamil Nadu,
Rural Development Department,
Fort St. George,
Chennai - 600 009.



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3. The Secretary to Government of Tamil Nadu,
Agricultural Department,
Fort St. George,
Chennai - 600 009.
4. The Secretary to Government of Tamil Nadu,
Commercial Taxes Department,
Fort St. George,
Chennai - 600 009.
5. The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.
6. The Principal Secretary to Government of Tamil Nadu,
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Chennai - 600 009.
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Fort St. George,
Chennai - 600 009.
10. The Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George,
Chennai - 600 009.
11. The Director of Medical and
Rural Health Service,
No. 359, Anna Salai,
Chokkalingam Nagar,
Teynampet,
Chennai - 600 006.



12.The Secretary,
Tamil Nadu Public Service Commission,
Park Town,
TNPSC Road,
V.O.C. Nagar,
Chennai - 600 003.

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+1cc to the Government Pleader Sr.No.7667

W.P.No.1616 of 2022

NRL (CO)
RVM(10/02/2022)