



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 5790 of 2022

S.Thamayanthy

..Petitioner

Vs.

1. The Director/ Commissioner of Rural Development
and Panchayat Raj,
Chennai-600015

2. The District Collector,
Dharmapuri District,
Dharmapuri.

..Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the appeal dated 22.10.2021 of the petitioner in the light of the TNPSC guidelines and the Departmental Manual, requesting to place her name in the bottom (last) of the Seniority List of approved probationers i.e., between Sl.No.26 (Tmt.P.Santham) and Sl.No.27 (Tmt.V.Sarala) in the seniority list as on 01.01.2021 approved in Pro.Na.Ka.No.15815/2021/K2 dated 14.09.2021 of the second respondent instead of placing her at the bottom of the Seniority List of assistants in Dharmapuri district unit.

For Petitioner : Mr.R.Thamarai Selvan

For Respondents : Mr.A.M.Ayyadurai,
Government Advocate

ORDER

The writ petition is filed seeking direction to the 1st respondent to consider the petitioners' appeal dated 22.10.2021 filed against the order of the 2nd respondent in Pro.Na.Ka.No. 15805/2020/K2, dated 27.08.2021 to the limited extent of rejection of the petitioner's claim for revision of the petitioner's seniority in the seniority list of Assistants as on 01.01.2020 in Dharmapuri District Unit and to assign proper seniority to the petitioner in the light of the guidelines issued by the TNPSC and guidelines issued by the Departmental Manual and to place her at the bottom of the seniority list of



approved probationers, instead of placing her at the bottom of seniority list of Assistants.

2. Heard both sides and perused the documents available on record.

3. The prayer in the writ petition is for direction to the 1st respondent to consider the petitioner's appeal dated 22.10.2021. On perusal of entire records there is no proof for having submitted the appeal to the 1st respondent on the said date as contended by the learned counsel for the petitioner. In the absence of any proof, this Court cannot consider the claim made by the petitioner, however, if any such appeal was received, it is for the respondents to consider and pass orders.

4. Considering the facts and circumstances of the case, this Court is inclined to issue the following directions;

- i. The writ petitioner is directed to submit the proof/ acknowledgment along with the Appeal dated 22.10.2021 to the 1st respondent, within a period one week from the date of receipt of a copy of this order.
- ii. On receipt of such appeal along with the acknowledgment, the 1st respondent shall consider the same and pass appropriate orders in accordance with law, within a period of twelve weeks thereafter.

With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Director/ Commissioner of Rural Development
and Panchayat Raj,
Chennai-600015

2. The District Collector,
Dharmapuri District,
Dharmapuri.

+lcc to Mr.R.Thamarai Selvan, Advocate, S.R.No.19387

+lcc to the Government Pleader, S.R.No.19533

W.P.No. 5790 of 2022

SR(CO)

RGA(08/04/2022) (18/04/2022)