



W.P.No.38084 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.38084 of 2016
and
W.M.P.Nos.32659 & 32660 of 2016

A.Manuneethi Sozhan

...Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by Secretary to Government,
Animal Husbandary, Dairying and
Fisheries Department,
Secretariat,
Chennai – 600 009.

2.The Commissioner of Fisheries,
Anna Salai,
Chennai – 600 006.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to include the name of the petitioner over and above the names of the directly recruited Inspectors of Fisheries included in the approved Panel for recruitment by transfer to the Post of Assistant Director of Fisheries for the year 2015-2016 and to promote the petitioner to the said post with effect from the date of



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promotion of the empanelled Inspectors of Fisheries and grant all consequential benefits to the petitioner herein.

For Petitioner : Mr.J.Ravi
For M/s.M.Ravi

For R1 and R2 : Mrs.V.Yamuna devi
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to include the name of the petitioner, over and above the names of the directly recruited Inspectors of Fisheries, included in the approved Panel for recruitment by transfer to the Post of Assistant Director of Fisheries for the year 2015-2016 and to promote the petitioner to the said post with effect from the date of promotion of the empanelled Inspectors of Fisheries and grant all consequential benefits to the petitioner.

2. The petitioner is now working as Inspector of Fisheries. The next avenue for promotion is to the post of Assistant Director of Fisheries.



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3. The learned Special Government Pleader appearing on behalf of the respondents 1 and 2, brought to the notice of this Court that the departmental disciplinary proceedings are pending against the writ petitioner and a charge memorandum was also issued under Rule 17 (b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. During the pendency of the charge memorandum, the petitioner is not eligible for promotion to the higher post.

4. Thus, the case of the writ petitioner is to be considered only after the disposal of the departmental disciplinary proceedings and by following the procedures as contemplated under law.

5. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes
Speaking order: Yes
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To

1. The Secretary to Government,
Government of Tamil Nadu,
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Chennai – 600 009.

2. The Commissioner of Fisheries,
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Chennai – 600 006.



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S.M.SUBRAMANIAM, J.

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