



W.P.No.20839 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20839 of 2023

V.Sarojini,  
Grade II Warder,  
Nilakottai Sub Jail,  
Dindigul District.

... Petitioner

Versus

1.Government of Tamil Nadu rep., by  
The Additional Chief Secretary to Government,  
Home (Prison.2) Department, Fort St.George,  
Chennai 600009.

2.The Director General of Police & Director General of Prisons,  
Whannels Road, Egmore, Chennai 600008.

3.The Superintendent,  
Nilakottai Sub Jail,  
Dindigul District.

4.The Accountant General (A&E),  
DMS Compound, Teynampet,  
Chennai 600018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or order or direction directing the first respondent herein namely the Government of Tamilnadu represented by the Additional Chief Secretary to Government Home (Prison.2) Department, Fort St.George, Chennai 600009 to issue consequential government of retrospective regularisation of the services of the Petitioner in the post of Grade II Warder / Female Escort warder with effect from 6.3.1989 to 2003



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and further promotion to the various posts with attendant, service and monetary benefits attached to the above said posts including pensionary benefits in the light of the government order issued in G.O.Ms.No.1008, Home (Prison.II) Department dated 4.5.1988, G.O.Ms.No.710, Home (Prison.II) Department 17.8.2005 G.O.Ms.No.22, P&AR (F) Department dated 28.2.2006 and also in the light of the order confirmed by the Hon'ble Supreme Court in SLP NO.6328 & 6329 of 2011 dated 15.4.2011, G.O.Ms.No.74, P&AR (F) Department dated 27.06.2013, and also to consequently to re-fix the pay of the Petitioner in the post of Grade II Warder and also further promotion to the various posts of Grade I Warder, Chief Head Warder, Assistant Jailor, Deputy Jailor and Jailor by creating supernumerary posts and to pay the resultant arrears arising out of such re-fixation of pay within a time-frame that may be stipulated by this Court.

For Petitioner : Mr.K.S.Govinda Prasad

For R1 to R3 : Mr.V.Jeevasiridharan,  
Additional Government Pleader

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#### ORDER

This Writ Petition has been filed to direct the 1<sup>st</sup> respondent herein to issue consequential government of retrospective regularisation of the services of the petitioner in the post of Grade-II Warder/Female Escort warder with effect from 06.03.1989 to 2003 and further promotion to the various posts with attendant, service and monetary benefits attached to the above said posts including pensionary benefits in the light of the G.O.Ms.No.1008, Home (Prison.II) Department, dated 04.05.1988, G.O.Ms.No.710, Home (Prison.II) Department, dated 17.08.2005, G.O.Ms.No.22, P&AR (F) Department, dated 28.02.2006 and also in the



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light of the order confirmed by the Hon'ble Supreme Court in S.L.P.Nos.6328 & 6329 of 2011, dated 15.04.2011, G.O.Ms.No.74, P&AR (F) Department, dated 27.06.2013 and also to consequently to re-fix the pay of the petitioner in the post of Grade-II Warder and also further promotion to the various posts of Grade-I Warder, Chief Head Warder, Assistant Jailor, Deputy Jailor and Jailor by creating supernumerary posts and to pay the resultant arrears arising out of such re-fixation of pay within a time frame that may be stipulated by this Court.

2.After hearing arguments, this Court on perusal of typed set, came to know that the petitioner has already filed Writ Petition in W.P.No.2354 of 2018 before this Court, wherein this Court, by order, dated 14.07.2021 granted liberty to the petitioner to make a fresh representation to the 1<sup>st</sup> respondent therein ventilating her grievances and on receipt of the same, the 1<sup>st</sup> respondent therein shall consider it on its own merits and pass orders in accordance with law, within a period of three months from the date of receipt of the representation.



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3.Now, the learned counsel for the petitioner submitted that as per the order of this Court, dated 14.07.2021, the petitioner sent a representation, dated 01.09.2021 to the Principal Secretary to the Government, Home Prison.II Department, Fort St.George, Chennai, but the same was not considered.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that no document produced to prove the said representation has been sent to the Principal Secretary to the Government, Home Prison.II Department, Fort St.George, Chennai. According to them, they have not received any representation from the petitioner. If the representation is properly received, they will consider the same on merits and pass orders in accordance with law, within a period of three months.

5.In such view of the matter, there shall be a direction to the petitioner to give representation by way of registered post to the 1<sup>st</sup> respondent with acknowledgement card within a period of fifteen days from today. On such representation, the 1<sup>st</sup> respondent shall consider the same on merits and pass orders in accordance with law, within a period of three



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months thereafter.

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6.With the above direction, this Writ Petition is disposed of. No costs.

14.07.2023

Index : Yes/No  
Internet: Yes/No  
Neutral Citation: Yes/No  
Speaking Order/Non-Speaking Order

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To

- 1.The Additional Chief Secretary to Government,  
Government of Tamil Nadu,  
Home (Prison.2) Department, Fort St.George,  
Chennai-600 009.
- 2.The Director General of Police & Director General of Prisons,  
Whannels Road,  
Egmore, Chennai-600 008.
- 3.The Superintendent,  
Nilakottai Sub Jail,  
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- 4.The Accountant General (A&E),  
DMS Compound, Teynampet,  
Chennai-600 018.



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