



WEB COPY



W.P.No.25818 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.25818 of 2023

Jesula Rani

... Petitioner

Versus

1.Government of Tamil Nadu represented by the
Principal 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,
Central Jail,
Palayamkottai.

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 Principal Secretary to Government, Home (Prison.II) Department, Fort St.George, Chennai 600009 by regularizing the service of the petitioner with retrospective effect from the date of her initial appointment that is on 11.11.1992 by bringing her into the regular time scale of pay in the post of Grade II Warder with attendant, service and monetary benefits in the above said post, and to further promote the petitioner to the posts of Head Warder, Chief Head Warder, Assistant Jailor, Deputy Jailor and Jailor by creating a



W.P.No.25818 of 2023

supernumerary posts and to grant pensionary benefits to the petitioner in the light of the orders passed by a Division Bench of this Court made in W.A.No.635/2011 dated 12.4.2011 and also in the light of the government orders issued in G.O.Ms.No.22, P&AR (F) Department dated 28.02.2006, G.O.(Ms)No.74, P&AR (F) Department dated 24.5.2013, G.O.(Ms)No.952, Home (Prison.II) Department dated 29.12.2017, together with arrears arising out of such promotion 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
For R4 : Mr.S.Balaji

ORDER

This Writ Petition has been filed to direct the 1st respondent by regularizing the service of the petitioner with retrospective effect from the date of her initial appointment that is on 11.11.1992 by bringing her into the regular time scale of pay in the post of Grade II Warder with attendant, service and monetary benefits in the above said post, and to further promote the petitioner to the posts of Head Warder, Chief Head Warder, Assistant Jailor, Deputy Jailor and Jailor by creating a supernumerary posts and to grant pensionary benefits to the petitioner in the light of the orders passed by the Hon'ble Division Bench of this Court made in W.A.No.635 of 2011, dated 12.04.2011 and also in the light of the government orders issued in G.O.Ms.No.22, P&AR (F) Department, dated 28.02.2006, G.O.(Ms)No.74,



W.P.No.25818 of 2023

P&AR (F) Department dated 24.5.2013, G.O.(Ms)No.952, Home (Prison.II)

Department dated 29.12.2017, together with arrears arising out of such promotion 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.35809 of 2019 before this Court, wherein this Court, by order, dated 03.01.2020 granted liberty to the petitioner to make a fresh representation to the 1st respondent therein ventilating her grievances and on receipt of the same, the 1st respondent therein shall consider it on its own merits and pass orders in accordance with law, within a period of twelve weeks from the date of receipt of the representation.

3.Now, the learned counsel for the petitioner submitted that as per the order of this Court, dated 30.01.2020, the petitioner sent a representations, dated 08.07.2010 and 20.07.2020 to the 1st respondent, however, the same were not considered.



W.P.No.25818 of 2023

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that no document produced to prove the said representations have been sent to the 1st respondent. 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 1st respondent with acknowledgement card within a period of fifteen days from today and on such representation, the 1st respondent shall consider the same on merits and pass orders in accordance with law, within a period of three months.

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

14.07.2023

vv2

Index : Yes/No



W.P.No.25818 of 2023

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
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,
Central Jail,
Palayamkottai.
- 4.The Accountant General (A&E),
DMS Compound, Teynampet,
Chennai 600018.



WEB COPY



W.P.No.25818 of 2023

N.SATHISH KUMAR, J.
vv2

W.P.No.25818 of 2023

04.09.2023