



W.P.(MD) No.13388 of 2009

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 04.09.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR  
and  
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.13388 of 2009**

1.A.Muthukrishnan  
2.M.Merlin Joseph Amuldoss  
3.R.Meenatchi

: Petitioners

-vs-

1.The Registrar (General),  
Madras High Court,  
Chennai.  
  
2.The Registrar (Administration)  
Madurai Bench of Madras High Court,  
Madurai.  
  
3.The Principal District Judge,  
Tuticorin District,  
Tuticorin.

: Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the selection order passed by the third respondent in his proceedings No.A1.No.263/209 dated 31.10.2009 and the consequential transfer and posting order passed by the same, the third respondent in his separate proceedings No.A1.No.263/2009 dated 31.10.2009 and quash the same as illegal and consequentially to direct the respondents to revise out salary in terms of G.O.Ms.No.234 dated 01.06.2009.



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For Petitioners : Mr.V.Karthik Raja  
for M/s.Ajmal Associates

For Respondents : Mr.N.Tamil Mani

**ORDER**

**[Order of the Court was made by S.S.SUNDAR, J.]**

This Court granted enough time to the petitioner to implead the Government who is a necessary party in view of the prayer and the order passed by the learned Principal District Judge, impugned in this writ petition. The matter relates to promotion, transfer and posting of petitioners and about the monetary benefits to the petitioners. Since the order impugned is in accordance with the service rules, the petitioner was directed to implead the State Government as a necessary and proper party in the writ petition. The petitioners entitlement can be considered only in the presence of the Government.

2. The learned counsel appearing for the petitioners states he is unable to contact the petitioners. By the impugned order, the petitioners are promoted as Bench Clerk Grade-I from the post comes under Category-II Class-IV under Tamil Nadu Judicial Ministerial Service Rules. It is stated by the third respondent in the counter that the posting of the petitioners by



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promotion is in accordance with Government Order as clarified. The petitioners' counsel is unable to demonstrate how the petitioners are entitled to relief as per the Government Order cited. This Court finds no merits.

3. In such circumstances, this Court finds that no reason to keep the matter pending. Hence, the Writ Petition is dismissed for want of merits and for non-joinder of necessary parties. No costs.

**[S.S.S.R., J.] [D.B.C., J.]**

**04.09.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**S.S.SUNDAR, J.**  
**and**  
**D.BHARATHA CHAKRAVARTHY, J.**

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