



W.P.(MD).No.2949 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2949 of 2023

D.Nageswari

... Petitioner

Vs.

1. The Commissioner,
Rural Development and Panchayat Raj,
Secretariat,
Chennai.

2. The District Collector,
Office of the District Collector,
Madurai.

3. The District Collector,
Office of the District Collector,
Sivagangai.

4. The Block Development Officer,
Thirupuvanam,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings of the first respondent vide proceedings bearing RC.No.51827/2021/EE2.1, dated 06.01.2023 and quash



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the same and consequently direct the respondents to alter the date of joining of the petitioner as 30.07.2010 in the service records instead of 31.07.2010.

For Petitioner : Mr.S.Suresh
For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
For R1 to R3

: Mrs.K.Christy Theboral
for R4

ORDER

The present writ petition has been filed by an Overseer in the respondent Department, challenging the order, dated 06.01.2023, wherein, her seniority was fixed from 31.07.2010 instead of 30.07.2010.

2. According to the learned counsel appearing for the writ petitioner, the petitioner was appointed as an Overseer, by order, dated 30.07.2010 and she had joined duty in the afternoon of 30.07.2010 at Thiruppuvanam Block. However, erroneously the date of joining of service has been recorded as 31.07.2010 and she lost her seniority due to the erroneous recording of the date of joining. Hence, the present writ petition.



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3. A perusal of the Service Register indicates that the petitioner had joined duty through the order of appointment dated 30.07.2010. The petitioner has joined duty only in the forenoon of 31.07.2010. The Service Register further reflects that the petitioner's services have been regularized only with effect from 31.07.2010. Therefore, it is clear that the petitioner had joined duty only in the forenoon of 31.07.2010.

4. The learned counsel appearing for the petitioner merely relies upon the Attendance Register, in which, it is stated that the petitioner has joined duty in the afternoon of 30.07.2010.

5. However, the learned Additional Government Pleader appearing for the respondents 1 to 3 brings to the notice of this Court that the petitioner's name should have been inserted at serial No.30. However, the petitioner's name has been inserted as serial No.10 and without any counter signature, it is shown that she had joined duty on 30.07.2010.

6. In view of the above said facts, it is clear that the petitioner had joined duty only in the forenoon of 31.07.2010 and the authorities have



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rightly fixed the consolidated *inter se* seniority of the writ petitioner with effect from 31.07.2010. Therefore, there is no error in the order.

7. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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R.VIJAYAKUMAR,J.

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