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W.P.No. 4622 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.4622 of 2024

K.Radha

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Petitioner

Vs

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

2. The Secretary Higher Education,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

3. The Commissioner,
Tamil Nadu Govt.Archives and Historical Research,
No.50/51, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

4. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District – 608 002.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the first and second



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respondents to consider petitioner's representation dated 19.12.2023 and consequently issue an order for cancellation of her deputation and place the petitioner in the Annamalai University, Annamalai Nagar, Chidambaram, within the time frame fixed by this Court.

For Petitioner : Mr.R.Baskar

For R1 to R3 : Mr.K.Surendran
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the first and second respondents to consider the representation submitted by the petitioner dated 19.12.2023 seeking cancellation of the order of deputation and place the petitioner in Annamalai University, Annamalai Nagar, Chidambaram.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.

3. The petitioner was working in Annamalai University as Record Clerk in the year 2008. Due to excess staff in Annamalai University, by an



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order dated 18.05.2017, the petitioner was deputed to the Tamil Nadu Government Archives and Historical Research Department, Chennai. Since she is a handicapped person, she could not claim upstairs in the office. Therefore, the petitioner submitted a representation for transfer to her native place. Her request was considered and by proceedings dated 06.03.2023, she was given a post at Chidambaram Arts and Science College. However, there was no vacancy. Once again, the petitioner submitted a representation to cancel her deputation and place her in Annamalai University by an order dated 16.05.2017.

4. The Government had allotted the surplus non-teaching staff in the category of Record Clerk of Annamalai University to Secretariat Departments/Government Departments/ Government Undertakings, so as to appoint them in the relevant posts in various offices for a period of three years on agreement basis, subject to the terms and conditions as per Section 19 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016. The list of surplus non-teaching staff in the category of Record Clerk was allotted to the Government of Tamil Nadu Archives and Historical



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Research. Therefore, she cannot be posted once again in Annamalai University, since the petitioner was declared as surplus non-teaching staff in the category of Record Clerk of Annamalai University. Hence, the request made by the petitioner cannot be considered and the writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. No costs.

26.02.2024

Interest : Yes/No
Index:Yes/No
Speaking /Non-speaking order
Neutral Citation : Yes/No
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To
1. The Chief Secretary to Government,
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Secretariat, Chennai – 600 009.

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Government of Tamil Nadu,
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G.K.ILANTHIRAIYAN, J.

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