



WEB COPY



W.P.No. 5330 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.5330 of 2024
and
W.M.P.No.5862 of 2024**

M.Jothi Lakshmi

....

Petitioner

Vs

1. Commissioner of Labour,
DMS Complex, Teynampet, Chennai.

2. Ravi Kumar
Superintendent,
Office of the Asst. Commissioner
of Labour (Enforcement),
Coimbatore.

....

Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to include the petitioner's name in the seniority panel prepared vide proceedings E4/1373/2024 dated 19.01.2024 issued by the first respondent.

For Petitioner : Mr.B.Ravi

For R1 : Mr.V.Veluchamy
Additional Government Pleader



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ORDER

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This Writ Petition has been filed for a direction directing the first respondent to consider the representation submitted by the petitioner seeking to include the petitioner's name in the seniority panel dated 19.01.2024 to the post of Assistant.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and perused the materials available on record.

3. The petitioner was appointed under 10(a)(i) of the General Rules for the Tamil Nadu State and Subordinate Services as Typist on 15.11.2007. Thereafter, on 29.06.2012, she was appointed as Typist by the Tamil Nadu Public Service Commission. The first respondent referred his community certificate for verification to the District Vigilance Committee and subsequently, she was appointed and joined on 21.06.2012. While being so, the petitioner's junior was promoted to the post of Assistant in the year 2013. Therefore, the petitioner submitted a representation and the same was rejected by the first respondent on the ground that she was not eligible to the post of Assistant.

4. After the order was passed by the Hon'ble Supreme Court of



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India in promotion matters, all the Government Departments prepared the seniority list on the basis of merit. While being so, the first respondent issued proceedings dated 05.07.2023, thereby revised the seniority list of the panel and her seniority was fixed at 650, though the petitioner's name was not included in the place higher than her juniors.

5. Considering the facts and circumstances of the case, the first respondent is directed to consider the representation submitted by the petitioner and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

04.03.2024

Index: Yes/No
Speaking Order: Yes
Lpp

To

The Commissioner of Labour,
DMS Complex, Teynampet, Chennai.

G.K.ILANTHIRAIYAN, J.



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