



WEB COPY

W.P. No.30429 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-06-2024

CORAM

THE HONOURABLE MRS. JUSTICE R. KALAIMATHI

**W.P. No.30429 of 2012
and M.P. Nos.1 and 2 of 2012**

C.B. Kousalya Bai

... Petitioner

-VS-

1. THE STATE OF TAMILNADU
rep. by the Secretary
Social Welfare Department,
Fort St. George, Chennai - 600019.
2. THE COMMISSIONER OF SOCIAL DEFENCE
Purusawakkam High road,
Kellys, Chennai - 600019.
3. THE SECRETARY,
Tamilnadu Public Services Commission,
Frazer Bridge Road, Near MUC Grounds,
Chennai - 600003.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of CERTIORARIFIED MANDAMUS, to call for records relating to the 1st respondent's proceedings made in Letter



No.4276/SW 8/ 2009-14 dated 20.06.2012, to quash the same and consequently direct the respondents to consider the claim of the petitioner for absorption as Junior Assistant under the control of 1st and 2nd respondents.

For Petitioner : Mr. L. Chandrakumar
For Respondents 1 and 2 : Mr. V. Veluchamy
(Advocate Government Pleader)
For Respondent 3 : Mr. K. Ranjith Kumar
(for R. Baranidharan)

ORDER

The proceedings made in Letter No.4276/SW 8/ 2009-14 dated 20.06.2012 issued by the first respondent is under challenge.

2. The petitioner submits that she was appointed as Junior Assistant on 29.07.1994 through Employment exchange. On regularization, she was placed on probation on 28.09.1995 and on 04.12.1996, her probation was declared that she has satisfactorily completed her probation. While so, without any order in writing, she was stopped from services. Upon



her representation dated 04.11.2008, the second respondent in and by letter No.20215/B1/2008 dated 25.03.2009 sought for absorption of the petitioner in the category of Junior Assistant as per Rule in an existing vacancy in the teeth of the fact that she had rendered 14 years of such services. The said proposal instead of being considered, in letter and spirit was rejected on the ground that the post of Junior Assistant falls within the purview of TNPSC. The said order is impugned in this writ petition.

3. Heard the arguments of Mr. L.Chandrakumar, learned counsel for the petitioner, Mr. V.Veluchamy, learned Advocate Government Pleader appearing for respondents 1 and 2 and Mr. K.Ranjith Kumar appearing for Mr. R.Bharanidharan for the third respondent.

4. The petitioner at the age of 48 years filed this writ petition in the year 2012, now, she is 60 years old and also the post of Junior Assistant falls within the purview of TNPSC.



5. In view of the aforesaid discussions, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions, if any stand closed.

06-06-

2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

stn

To

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