



W.P.No.5126 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.5126 of 2020

K.Kothaimathi

...

Petitioner

/vs/

1. The Principal Secretary to Government,
Home (Police) Department,
Secretariat,
Chennai – 600 009.

2. The Principal Secretary to Government,
Commercial and Registration Department,
Secretariat,
Chennai – 600 009.

3. The Secretary,
Tamilnadu Public Service Commission,
Chennai – 600 003.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider and pass appropriate orders on the petitioner's representation dated 29.01.2020 for the claim of the petitioner's for re-transfer to her parent Department and posting as Deputy Superintendent of Police (Category I) by granting relaxation of Rule 9-A of the General Rules for Tamilnadu State and Subordinate Service.



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For Petitioner ... No appearance
For Respondents ... Mr.M.Rajendran
Additional Govt. Pleader for R1 & R3
Ms.E.Ranganayaki
Additional Govt. Pleader for R2

ORDER

The petitioner has filed this Writ Petition directing the respondent to consider and pass orders on his representation dated 29.01.2020 for re-transferring her to the parent department and posting her as Deputy Superintendent of Police (Category-I) by grating relaxation of Rule 9-A of General Rule of Tamil Nadu State and Subordinate Service.

2. Ms.E.Ranganayaki, the learned Additional Government Pleader for the second respondent submitted that Rule 9-A General Rule of Tamil Nadu State and Subordinate Service is no more in force and has been substituted by Tamil Nadu Government Servants (Condition of Service) Act. It is further submitted that the petitioner is said to have written an exam through Tamil Nadu Public Service Commission for the post of Assistant Commissioner of Commercial Taxes and she got selected and was given with the posting in the Commercial Tax Department as Assistant Commissioner of Commercial Taxes; now the petitioner intends to go back



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to the earlier Police Department by seeking relaxation of Rule 9-A of General Rules of Tamil Nadu Subordinate Service Rules; it is no way possible to relax those rules and the petitioner who had quit her earlier post as Deputy Superintendent of Police got relieved. It is further submitted that the limitation period of one year has also expired on 18.07.2013 and hence the representation of the petitioner cannot be considered.

3. Since the representation of the petitioner remains undisposed, I feel it is appropriate for the respondents to pass an order on the representation of the petitioner in the light of the existing rules and regulations and possibilities.

4. Hence, the respondents are directed to consider the representation of the petitioner dated 29.01.2020 and pass orders in the light of the existing rules and regulations and possibilities, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above observation, this Writ Petition is disposed. No



costs.

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Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation: Yes / No

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WEB COPY To:

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R.N.MANJULA ,J.

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