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W.P.No.9486 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.9486 of 2022

S.Vijayalakshmi

... Petitioner

Vs

- 1.The Government of Tamilnadu,
Rep. by its Secretary,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-6
- 2.The Director of Municipal Administration,
11th Floor, Urban Administrative Building,
(opp. to Ciba Building)
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai 600 028
- 3.The Commissioner,
Salem Corporation,
Salem

.... [RESPONDENTS]

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of certiorarified mandamus calling for the records relating to the Impugned Order passed by the third respondent in Na.Ka.No.2/ 19329/2021 dated 04.02.2022 quash the same and



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consequently direct the respondents to give notional promotion to the post of Administrative Officer and to sanction all the benefits including difference in terminal benefits with 12% interest.

For Petitioner : Mr.A.R.Nixon

For Respondents

For R1 & 2 : Mr.U.Baranidharan,
Additional Government Pleader

For R3 : Mrs.N.Devi,
Standing Counsel

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 04.02.2022 thereby denied notional promotion to the post of Administrative Officer to the petitioner.

2. The petitioner was appointed as Junior Assistant in the year 1965. On 05.10.1990, she was promoted as Assistant. However, the third respondent failed to prepare the panel for promotion. Therefore, the petitioner submitted representation and also filed writ petition before this Court in WP.No.5478 of 1998 and this Court directed the third respondent to dispose of the representation. In the subsequent writ



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petition in WP.No.8735 of 2000, the third respondent was directed to keep one post vacant for the post of Administrative Officer in order to accommodate the petitioner. In fact on 29.06.2002, the juniors of the petitioner were promoted to the post of Administrative Officer. However, the case of the petitioner was not considered. From 20.01.2003 onwards till her retirement, she was working as Administrative Officer in charge. Therefore, she is entitled to get promotion from 2003 as Administrative Officer. Hence, she submitted representation on 24.02.2021 seeking for notional promotion and monetary benefits. However, it was rejected by the impugned order.

3. The learned counsel for the petitioner restricted the petitioner's prayer to the extent of 'salary for the period during which the petitioner worked as Administrative Officer i.e. from 20.01.2003 to 31.01.2004'.

4. Considering the above, the third respondent is directed to verify the records whether the petitioner had worked as Administrative



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Officer from 20.01.2003 till retirement i.e. 31.01.2004 and if it is found that she is entitled for salary for the said period as Administrative Officer, the third respondent is directed to pass appropriate orders.

5. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

04.01.2024

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order
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To

1. Secretary,
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G.K.ILANTHIRAIYAN, J.

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