



W.P.No.26263 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM:

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

W.P.No.26263 of 2022
and W.M.P.No.25346 of 2022

J.Sarita Kumari

...Petitioner

-Vs-

1. The Director General-
NIWE,
Velacharry-Tambaram Road,
Pallikarani, Chennai – 600 100.
2. The JS & CAO,
Ministry of Defence,
Africa Avenue,
New Delhi – 110 023.
3. The Secretary,
Union of India,
Ministry of MNRE,
Block 14, CGO Complex,
Lodhi Road, New Delhi – 110 003.
4. The Secretary, Union of India,
Ministry of Personnel,
Public Grievances and Pension,
Department of Personnel and Training
North Block, New Delhi.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying



W.P.No.26263 of 2022

for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the first Respondents dated 04.08.2022 in No. NIWE/ F and A/ PER 117/2022-23, quash the same and consequentially to direct the respondent to consider the deputation completion period till 08.11.2022.

For Petitioner : Mr.M.L.Ramesh

For Respondents : Mr.N.Ramesh, SPC

ORDER

This writ petition has been filed for the issuance of Writ of Certiorarified Mandamus, calling for the records of the first Respondents dated 04.08.2022 in No. NIWE/ F and A/ PER 117/2022- 23, quash the same and consequentially to direct the respondent to consider the deputation completion period till 08.11.2022.

2. Heard the learned counsel on either side and perused the materials available on record.

3. A perusal of the impugned order dated 04.08.2022 revealed that the tenure itself is over. Though this Court stayed the relieving order, the respondents did not permit the petitioner to join duty. Now, the petitioner is suffering with paralytic attack and brain haemorrhage. Therefore, this Court, by an order dated 18.06.2024 directed the respondents to get instructions as to



W.P.No.26263 of 2022

whether the petitioner can be referred to Medical Board of the choice of the third respondent to ascertain the condition of the petitioner. However, so far, no instruction is received from the respondents.

4. In view of the above, the second respondent is directed to permit the petitioner to join duty as Hindi Translator. Due to medical condition of the petitioner, she is at liberty to submit her representation seeking transfer and on receipt of the same, the second respondent is directed to consider the same on merits and in accordance with law.

5. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

15.07.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
mn

G.K.ILANTHIRAIYAN. J.

mn



W.P.No.26263 of 2022

To

1. The Director General-
NIWE,
Velacharry-Tambaram Road,
Pallikarani, Chennai – 600 100.
2. The JS & CAO,
Ministry of Defence,
Africa Avenue,
New Delhi – 110 023.
3. The Secretary,
Union of India,
Ministry of MNRE,
Block 14, CGO Complex,
Lodhi Road, New Delhi – 110 003.
4. The Secretary, Union of India,
Ministry of Personnel,
Public Grievances and Pension,
Department of Personnel and Training
North Block, New Delhi.

W.P.No.26263 of 2022

15.07.2024