



W.P.(MD) No.12622 of 2009

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.12622 of 2009

and

M.P.(MD)Nos.1 and 2 of 2009

A.Daisy Rani

... Petitioner

Vs.

- 1.The Registrar General,
High Court of Judicature at Madras,
Chennai.
- 2.The Registrar (Administration),
High Court of Judicature at Madras,
Chennai.
- 3.The District and Sessions Judge,
Kanyakumari at Nagercoil.



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4. The Government of Tamilnadu,
Rep by its Secretary to Government,
Personal and Administrative Reforms (B) Department,
Secretariat, Chennai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling the impugned records of the 3rd respondent in his proceedings in D.No.1924/2009 dated 17-08-2009 returning the seniority claim of Petitioner and thereby refusing the seniority claim of Petitioner and to quash the same and further directing the respondents to reckon the seniority of the Petitioner in the cadre of Steno Typist from the date of her initial appointment and promote the petitioner in the cadre of superintendent / other equivalent cadre with all consequential benefits such as retrospective promotion, refixation of seniority of pay arrears of pay.

For Petitioner : Mr.P.Deepak

For Respondents : Mr.N.Satheesh Kumar,
Additional Govt. Pleader for R4



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling the impugned records of the 3rd respondent in his proceedings in D.No.1924/2009 dated 17-08-2009 returning the seniority claim of Petitioner and thereby refusing the seniority claim of Petitioner and to quash the same and further directing the respondents to reckon the seniority of the Petitioner in the cadre of Steno Typist from the date of her initial appointment and promote the petitioner in the cadre of superintendent / other equivalent cadre with all consequential benefits such as retrospective promotion, refixation of seniority of pay arrears of pay.

2. The petitioner has made a representation on 28.06.2009, seeking fixation of seniority from the date of her initial appointment. However, the said representation was rejected through the impugned order dated 17.08.2009. As against the rejection order, the petitioner has filed this Writ Petition.



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3. The third respondent has filed a counter affidavit, in which it is stated that in the seniority list, as the rank of the petitioner was in the 10th rank during the year from 2003 to 2006, her transfer from the post of Steno-Typist Grade-III to Assistant was not able to be considered. It is further stated that the petitioner was posted as Assistant, Principal District Munsif Court, Padmanabhapuram by transfer of service as per the proceedings of this Court in Roc.No.94/2017-A, dated 01.08.2016 and she retired from service on superannuation on 30.04.2017.

4. In view of the above, we are of the view that there is no merit in the Writ Petition and the Writ Petition is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] [R.V., J.]
05.01.2024

Neutral Citation: Yes / No
Index : Yes / No
vsm

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- 4.The Secretary to Government,
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