



W.P.(MD) No.5634 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.5634 of 2024

and

W.M.P.(MD)Nos.5332, 5334 and 5335 of 2024

A.Mariammal

... Petitioner

-Vs-

1.The Principal District Judge,
Theni, Theni District.

2.The Judicial Magistrate,
Uthamapalayam, Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in Enquiry No.1 of 2023, dated 03.07.2023 by confirming the order passed by the 1st respondent in D.P.No.1 of 2022, dated 19.12.2022 and quash the same as illegal and consequently, to direct the respondents to give promotion to the petitioner.

For Petitioner : Mr.SI.Muthiah

For Respondents : Mr.Mahaboob Athiff, Standing Counsel



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ORDER

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

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.Mahaboob Athiff, learned Standing Counsel, who takes notice for the respondents, submits that as against the order passed by the 1st respondent, the petitioner has efficacious alternative remedy under Rule 36 of Tamil Nadu Civil Services (Disciplined and Appeal) Rules. However, without exhausting the said remedy, the petitioner has filed this Writ Petition and therefore, the same is not maintainable.

3.In view of the said submission, since the petitioner without exhausting the alternative remedy before the revisional authority, straightaway approached this Court, we are not inclined to entertain this Writ Petition. Accordingly, this Writ Petition stands dismissed.

4.At this juncture, the learned counsel appearing for the petitioner seeks two weeks time to file a revision before the revisional authority. Considering the request made by the learned counsel for the petitioner, liberty is granted to the



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petitioner to file a revision before the competent authority within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
12.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva



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AND

R.VIJAYAKUMAR, J.

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