



W.P.No.1035 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

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THE HON'BLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.1035 of 2016

Judgment reserved on 24.02.2025	Judgment pronounced on 06.03.2025
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S.Jagajothi
D/o.Sundararajan,
No.4/96/118, Devendra Street,
Thuthikulam Village & Post,
Kalappa Naickenpatti Via,
Namakkal District - 637 404

Petitioner

Vs

1.The Secretary
Government of Tamil Nadu Department of Employment
and Training, Fort St. George,
Chennai-600 009.

2.The Regional Dispute Director
Employment Office Government Technical Training
Centre Compound Thudiyalur,
Coimbatore – 29.

3.The Assistant Director
(General Information Officer)
District Employment Office,
Salem District.

4. The District Employment
Officer, District Employment Office,
Namakkal District - 637 404.

Respondents



W.P.No.1035 of 2016

WEB COPY

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India praying for a writ in the nature of declaration, declaring that the employment registration seniority as assigned to the petitioner by the 4th respondent in the X-10 Identity Card as NKD 2009F00010522 dated 27.07.2009 is corruptive, malafide and arbitrary and consequently direct the 4th respondent to issue to the petitioner the employment registration certificate with registration seniority and registration number of the year 1997 with all consequential benefits.

For Petitioner : Mr.M.R.Chellappan
For Respondents : Mr.G.Ameedius,
Govt Advocate.

ORDER

The above writ petition is filed seeking direction to the 4th respondent to issue employment registration certificate with registration seniority and registration number of the year 1997 with all consequential benefits.

2. As per the affidavit, the petitioner belongs to Hindu Schedule Caste and completed Higher Secondary qualification in the year 1997 and registered with the Employment Office at Namakkal and obtained employment registration No.W/11728/97 (SC) dated 09.06.1997.

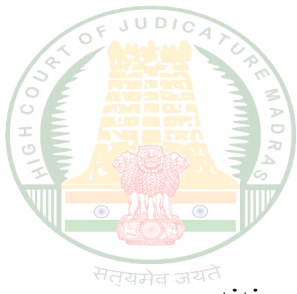


W.P.No.1035 of 2016

WEB COPY

3. The grievance of the petitioner is that the very same employment registration number earlier allotted to the petitioner was re-allotted to another person who belongs to B.C category and her name was recommended for employment offer. It is further deposed that the petitioner has completed four renewals and the 4th respondent allotted new registration number in the year 2009 and hence the seniority in the employment exchange was fixed w.e.f. 27.07.2009 and the next renewal month was changed to December 2012.

4. The learned counsel for the petitioner would contend that the actual fact is that the original employment No.W/11728/97(S.C) dated 09.06.1997 was allotted to another person and a new employment registration No.W/10522/09 dated 27.07.2009 was allotted to the petitioner in the year 2009. The fact of changing the same was agreed by the 4th respondent in his letter No.A1/5778/11 dated 19.09.2011 while sending reply to the District Collector, Namakkal which clearly shows that the 4th respondent has misused the original employment registration No.W/11728/1997 dated 09.06.1997 which was actually allotted to the petitioner in the year 1997 and subsequently allotted the same number to another person. Hence, the



W.P.No.1035 of 2016

WEB COPY

petitioner made representation to the 4th respondent. However, by an impugned order dated 27.07.2009, the 4th respondent had cancelled the petitioner's original employment registration number and allotted new employment registration No.10522/09 dated 27.07.2009 and the same is under challenge.

5. Counter has been filed by the 4th respondent. Based upon the counter, the learned Government Advocate would contend that the petitioner has registered her name in the Employment Office and her registration details are as under -

Name	: S.Jagajothi
Regn.Number	: NKD 2009 F00015022
Date of birth	: 29/06/1977
Community	: Scheduled Caste
Qualification & Seniority	: SSLC X01.10 SF 09.06.1997 HSC X01.15 SF 09.06.1997 Sec.Gr. 152.10 SF 01.02.2016 Dip. In Yoga 193.90 15.04.2009 TTC 791.90 SF 14.12.2009



W.P.No.1035 of 2016

WEB COPY

6. The registration number W/11728/97 was allotted to the petitioner by the District Employment Office, Salem on 09.06.1997 when she first registered her name with the Department, prior to the bifurcation of Namakkal District from Salem District.

7. The sum and substance of the counter is that on creation of District Employment Office at Namakkal, after the creation of Namakkal District as a new district, the details of all the registrants falling within the newly created district were transferred from Salem Employment Exchange to District Employment Office at Namakkal District. While in the course of transferring the said details, the registration numbers originally allotted to the registered members were changed. Though the registration numbers were newly allotted, the employment numbers alone were changed and not the seniority of the registrants. The seniority of the petitioner remains the same for the registration of her 10th and 12th qualification even after transfer of her registration to new District Employment Office at Namakkal.



W.P.No.1035 of 2016

WEB COPY

8. I have perused the affidavit as well as counter affidavit.

9. Pursuant to the order passed by this Court, the learned Special Government Pleader has produced copies of the letter of the District Legal Services Authorities and letter to the District Educational Office, Namakkal dated 02.06.2011 as to the certain details sought for by the petitioner before the legal services authority at Namakkal in which the details have been furnished. In the enquiry conducted by the District Legal Services Authority at Namakkal on 07.06.2011, the petitioner has appeared and necessary documents were also produced on 22.06.2011. The clear xerox copy of the same is produced before this Court for perusal and copies of the original enrolment with the Employment Exchange during the period where the Salem and Namakkal were composite Districts, copies of re-registration after bifurcation of the district as Salem and Namakkal and ID card of the petitioner were also produced before this Court.

10. After hearing both the parties and after noting down the contents of the counter, I find that before the District Legal Services

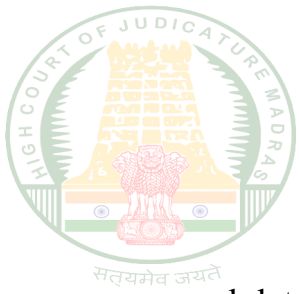


W.P.No.1035 of 2016

WEB COPY

Authority, all copies have been duly served upon by the petitioner and the position of bifurcation of Salem District and Namakkal District and re-arrangement of the maintenance of seniority list has also been explained to them and copies have also been furnished to this Court. The Identity Card has also been produced before this Court.

11. The set of documents filed before this Court clearly indicates that the stand of the 4th respondent stands justified. In the course of transferring of the details, the registration number originally allotted to the registered members were changed in view of the bifurcation of Revenue District of Salem as Salem and Namakkal. However, new registration numbers were allotted to senior of the petitioner and the person referred by the petitioner by name R.Mageshwari D/o Rangasamy had registered with employment exchange on 24.05.1996, admittedly prior to the petitioner's registration on 09.06.1997. By mistake it appears that the candidates were assigned same employment number and subsequently the same was rectified. The same has also been communicated to the petitioner on multiple occasions and it appears that on 07.06.2011 and again on 22.06.2011, the petitioner was called for and the Junior Employment Officer has participated in the enquiry



W.P.No.1035 of 2016

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and detailed explanation was given to the petitioner. Besides another enquiry has also been taken on the District Legal Services Authority, as extracted supra and hence I find that the writ petition has been filed on the misconception of fact and this court finds no merit in this writ petition.

12. Accordingly, this writ petition stands dismissed. No costs.

06.03.2025

rgr

Index : Yes/No

Speaking/Non-speaking order

To

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and Training, Fort St. George,
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RMT.TEEKAA RAMAN, J.

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Order in

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