



W.P.No. 6022 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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21.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.6022 of 2025

S. Subha Devi

... Petitioner

VS

1. Director of Cooperative Audit,
Directorate of Cooperative Audit,
Perasiriyar K. Anbazhagan Maligai,
2nd Floor, 571 Anna Salai,
Chennai 600 035.

2. The Principal Secretary,
Finance Department,
Secretariat, Chennai 600 009.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order more particularly in the nature of Writ of Mandamus directing the 1st respondent to issue the appointment order to the petitioner for the post of Assistant Director of Co-operative Audit in the Tamilnadu Co-operative Service which the petitioner was provisionally selected vide Memorandum No.2338/OTD -B2/2021 dated 26.2.2024 pending disposal of the appeals filed by the petitioner before the 2nd respondent dated 23.1.2025.

For Petitioner : Mr. S.K. Bose

For Respondents : Mr. P. Ganesh, Government Advocate



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ORDER

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This Writ Petition has been filed in the nature of a mandamus seeking a direction against the first respondent to issue appointment order to the petitioner for the post of Assistant Director of Co-operative Audit in the Tamil Nadu Co-operative Service. The petitioner claims that she had been selected by Memorandum No.2338/OTD-B2/2021 dated 26.02.2024. But what is more important the petitioner had faced disciplinary proceedings in which charges had been framed and punishment of stoppage of increment for one year with cumulative effect had been given. The petitioner had also filed an appeal against the said order in the disciplinary proceedings. The appeal is still pending.

2. The learned counsel for the petitioner states that pending appeal the petitioner should be appointed to the post of Assistant Director of Co-operative Audit.

3. There could also be a possibility of the appellate authority enhancing the punishment. The petitioner must await orders in the appeal, which appeal has been filed by the petitioner herself. Pending



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disposal of the appeal and all further proceedings relating to the disciplinary proceedings, the petitioner cannot seek a mandamus.

4. The respondents may take a decision about the appointment of the petitioner to the post of Assistant Director of Co-operative Audit after the appeal is disposed of and further proceedings consequent to the orders in the appeal are also disposed of, provided the petitioner is eligible for the post.

5. With the above observations, the Writ Petition stands dismissed.

No costs.

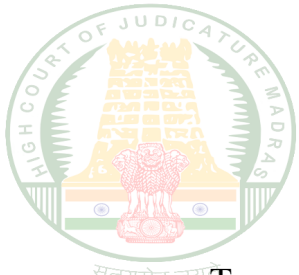
21.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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To
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C.V. KARTHIKEYAN, J.

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