



W.P.No.22256 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.22256 of 2025

N.Nandhini Devi @ Anisha

... Petitioner

Vs.

1.The Director of Sericulture,
Salem-636001

2.Mr.T.Muthupandian,
Assistant Director of Sericulture,
Namakkal-637001

... Respondents

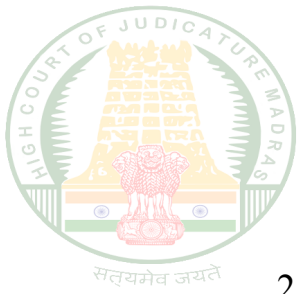
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to include the Petitioner's name in the Panel for promotion to the post of Inspector of Sericulture for the year 2016-2017 with reference to her seniority and grant her promotion as Inspector Sericulture on par with her junior Mr.T.Muthupandian (the second respondent herein) and grant her all consequential service and monetary benefits.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

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



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2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the First Respondent to include the Petitioner's name in the Panel for promotion to the post of Inspector of Sericulture for the year 2016-2017 with reference to her seniority and grant her promotion as Inspector Sericulture on par with her junior Mr.T.Muthupandian (the second respondent herein) and grant her all consequential service and monetary benefits.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel appearing for the petitioner would submit that the petitioner was initially appointed as Assistant Inspector of Sericulture on 30.01.2014. The learned counsel for the petitioner would further submit that petitioner was not considered for promotion for the panel year 2016-2017 and in between there was a charge memorandum issued to the petitioner on 02.06.2017 and subsequently, after enquiry, on 21.08.2019 she was exonerated from the charges. Therefore, it is the submission of the petitioner that she is entitled for inclusion of panel of the year 2016-2017 and in this



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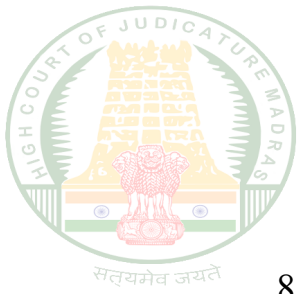
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connection, she has sent a representation on 26.07.2023, which is pending with the 1st respondent.

5. However, the learned Special Government Pleader appearing for the respondents would strongly object the contention of the petitioner and would submit that after 2016-2017 panel, there were three panels and all these years the petitioner did not give any objections. Therefore, the belated representation is nothing but creating a fresh cause of action upon a stale claim. Hence, he prayed to dismiss the writ petition.

6. I have given my anxious consideration to the submissions made on either side.

7. While looking at the factual position, though the petitioner had given representation during 2023, according to the petitioner, she was exonerated from the charges only during 2019 and probation was declared thereafter during 2020, therefore, there is no delay in sending the representation dated 26.07.2023.



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8. Though the learned Special Government Pleader for the respondents would strongly object the contention of the petitioner, the fact remains that the representation of the petitioner dated 26.07.2023 is yet to be considered by the 1st respondent.

9. In such view of the matter, without going into the merits of the writ petition, this Court deems it appropriate to direct the 1st respondent to consider the petitioner's representation dated 26.07.2023 and pass orders on it's own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

10. With the above direction, the Writ Petition is disposed of. No costs.

24.06.2025

dm

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No



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To

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- 1.The Director of Sericulture,
Salem-636001
- 2.Mr.T.Muthupandian,
Assistant Director of Sericulture,
Namakkal-637001



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C.KUMARAPPAN, J.

dm

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