



W.P(MD)No.6056 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.6056 of 2025

and

W.M.P(MD)Nos.4446, 4448 & 4450 of 2025

K.Sumithra Devi

... Petitioner

vs.

1.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai – 625 023.

2.The Principal District Judge,
New Combined Court Building,
Near Collectorate Office,
Sivagangai – 630 561.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records of the second respondent pertaining to the disciplinary proceedings No.09 of 2023 dated 30.01.2025 and quash the same as illegal and direct the second respondent to consider the petitioner's name for upcoming promotion.



W.P(MD)No.6056 of 2025

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For Petitioner : Mr.G.Sakthi Rao

For Respondents : Mr.Mahaboob Athiff
Standing Counsel

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

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

2.As against the penalty imposed in the disciplinary proceedings initiated under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules (hereinafter referred to as 'Rules'), the petitioner is entitled to prefer an appeal under Rule 19 of the Rules.

3.While a statutory appellate remedy is available to the petitioner, bypassing the same and invoking Article 226 of the Constitution of India is impermissible barring few exceptions. The grounds raised in the present Writ Petition do not touch upon any of such exceptions and as such, the prayer sought for in the present Writ Petition does not deserve consideration. However, the



W.P(MD)No.6056 of 2025

WEB COPY

learned counsel appearing for the petitioner sought liberty to approach the appellate authority. Accordingly, liberty is granted to the petitioner to approach the appellate authority within 15 days from the date of receipt of copy of this order, along with the necessary application for condonation of delay. If such application is filed, the appellate authority shall consider and dispose of it on its merits, within a period of four months from the date of filing of the application.

4. With the above liberty, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [S.S.Y.,J.]
11.03.2025

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



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

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ORDER MADE IN
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