

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE D. HARIPARANTHAMAN

Writ Petition No.20673 of 2015
and
M.P.No.1 of 2015

N.Roselin Elavarasi

...Petitioner

Vs.

1. The Secretary,
Department of School education,
Secretariat Building,
Puducherry - 605 001.
2. The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100, Feet Road, Anna Nagar,
Puducherry - 605 005.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 03.07.2015 .

For Petitioner : Mr. R.Udhayakumar

For Respondents : Mr.A.Tamilvanan,
Government Advocate (P).

O R D E R

With consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. Mr.A.Tamilvanan, learned Government Advocate (Pondicherry) takes notice for the respondents.

3. The second respondent issued notification dated 20.05.2015 calling for application for the post of Primary School Teachers in the Department of School Education. Pursuant to the same, the petitioner applied for the said post on 04.06.2015.

4. The petitioner got married to Mr. Francis Robert Rajan on 15.10.2003 who is a resident of Karaikal. The petitioner approached the Deputy Tahsildar, Karaikal for community and nativity certificates but the Tahsildar did not issue the said certificates stating that the native place of the petitioner is Tamilnadu. The petitioner made representation dated 03.07.2015 to the second respondent to consider her as the native of Karaikal, based on the residence of her husband.

5. Learned counsel for the petitioner submitted that the petitioner would be satisfied, if the second respondent is directed to pass orders on the representation of the petitioner dated 03.07.2015 in the light of the judgment of the Honourable Apex Court made in Appeal (Civil) No.4417 of 2002 (Kailash Chand Sharma vs. State of Rajasthan & Others), dated 30.07.2002, (Manu/SC/0641/2002).

6. In view of the narrow prayer made, the second respondent is directed to pass orders on the representation of the petitioner based on the judgment of the Honourable Supreme Court referred to above within a period of three weeks from the date of receipt of a copy of the order.

7. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Secretary,
Department of School education,
Secretariat Building,
Puducherry - 605 001.

WEB COPY

2. The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100, Feet Road, Anna Nagar,
Puducherry - 605 005.

1 CC to the Government Pleader, SR.No. 3505

W.P.No.20673 of 2015

LRS (CO)
PSI (14.07.2015)



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