

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22090 of 2015
and
M.P.No.1 of 2015

1. Tamil Nadu Differently Abled Specially Trained Teachers Welfare Association,
[Regn.No.350 of 2011],
Rep. By its President,
Having its Office at No.3, James Street,
Poonamallee, Chennai 600 056.
2. K.Babu Petitioners
- Versus-
1. The Government of Tamil Nadu,
Rep. By its Secretary,
Differently Abled Persons Welfare Association,
Fort St. George,
Chennai 600 009.
2. The State of Tamil Nadu,
Rep. By it Secretary,
School Education Department,
Fort St. George, Chennai 600 009.
3. The State Commissioner,
Disabilities,
Government of Tamil Nadu State Resource
cum Training Centre Campus,
Jawaharlal Nehru, Inner Ring Road,
K.K.Nagar, Chennai 600 078. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of of Mandamus directing the 1st respondent to grant appointment to the petitioners in the backlog vacancies as per G.O.(Ms) No.1, Differently Abled Welfare Department (D.A.W.2.2) dated 02.01.2012 within a time frame to be fixed by this court.

For petitioner : Mr.G.Thilakavathi

For respondents : Mr.S.Gunasekaran,
Government Advocate

ORDER

The petitioner is an association which is representing the cause of the Differently Abled Specially Trained Teachers. According to the petitioner, the Government of Tamil Nadu, in order to cater the needs of differently abled persons, like the members of the petitioner association, has established an Institute for imparting teacher training to Differently Abled Persons. Further, according to the petitioner, there are 75 members in the association and they have acquired B.Ed., degree from the above said institute.

2. It is the further case of the petitioner that there are number of backlog vacancies in the post of Teachers in various categories reserved for differently abled persons in various schools under the Government and Local Bodies and also in the Government Aided Schools as on date. The only grievance of the petitioner is that though the association made a representation in this regard to the 1st respondent, there was no reply from the Government. Hence, the petitioner is now before this court with this writ petition.

3. I have heard the submissions made on either side and also perused the records carefully.

4. Though the prayer is for a positive direction for appointment to the members of the petitioners as Teachers, the learned counsel for the petitioner, during the course of hearing of this writ petition, submitted that the petitioner would be satisfied, if a direction is issued to the 1st respondent to consider the representation of the petitioner in the light of Government Orders in G.O.Ms.No.16, Welfare of Differently Abled Persons (1) Department, dated 28.05.2010 and G.O.Ms.No.16, Welfare of Differently Abled Persons (1) Department, 02.01.2012 and pass orders thereon within a stipulated time.

5. Considering the above submission made by the learned counsel for the petitioner and the peculiar facts and circumstances of the case, without going into the merits of the case, this court directs the 1st respondent consider the representation of the petitioner association dated 24.06.2013 on merits and in accordance

with law and pass appropriate orders in the light of the Government Orders referred to above within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is, accordingly, dismissed. No costs. Consequently, connected MP is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Secretary,
Differently Abled Persons Welfare Association,
Fort St. George, Chennai 600 009.
2. The Secretary,
School Education Department,
Fort St. George,
Chennai 600 009.
3. The State Commissioner,
Disabilities, Government of Tamil Nadu
State Resource cum Training Centre Campus,
Jawaharlal Nehru, Inner Ring Road,
K.K.Nagar, Chennai 600 078.

+1cc to M/s.G.Thilakavathi, Advocate, S.R.No.37337
+1cc to the Government Pleader, S.R.No.37736

सत्यमेव जयते

W.P.No.22090 of 2015

LRS (CO)
CA(27/08/2015)

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