

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24335 of 2015

A.Uma Maheswari

... Petitioner

Vs

1. The Secretary to the Government,
Social Welfare and Nutritious Meal
Program Department,
Fort St. George, Chennai-9.
2. The Director of Social Welfare,
Chepauk, Chennai-5.
3. The District Project Officer,
Integrated Child Development Scheme,
Tuticorin.

... Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the respondents 1 and 2 to regularise the service of the petitioner in the cadre of Junior Assistant based on the proposal sent by the third respondent in Na.Ka.No.1077/A1/2012 dated 16.06.2012 within a reasonable time.

For Petitioner : Mr.K.Venkataramani, Sr. Counsel
for Mr.T.Ayngaraprabhu

For Respondents : Mr.V.Subbiah,
Special Government Pleader

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ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that her mother viz., Raja Rajeswari, while serving as Superintendent in the office of the Child Development Project Office, Project No.2, Chennai, died on 03.11.1993 in harness leaving behind her husband and daughter (petitioner) and at that time, she was aged about 9 years.

3.The petitioner, after completing higher secondary course, approached for appointment on compassionate ground and vide proceedings of the second respondent dated 08.09.2007, the petitioner was appointed on compassionate ground under Rule 10(a) (i) of the Tamil Nadu State and Subordinate Service Rules as a Junior Assistant and she joined the said post on 18.09.2007. Her services have not been regularised so far in the cadre of Junior Assistant by the first respondent and on 03.04.2009, the third respondent sent a communication to the second respondent for regularisation, which was once again forwarded by another proceedings dated 16.06.2012 requesting the concerned authority to regularise the service of the petitioner. Since no orders have been passed, the petitioner came forward to file the present writ petition.

4.Heard the submissions of Mr.K.Venkataramani, learned senior counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, directs the first respondent to take into consideration the proposal dated 03.04.2009 made in Na.Ka.No.778/A1/2009 sent by the third respondent to the second respondent followed by reminder dated 16.06.2012 in Na.Ka.No.1077/A1/2012 by the very same official - third respondent, and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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To

1. The Secretary to the Government,
Social Welfare and Nutritious Meal
Program Department,
Fort St. George, Chennai-9.

2. The Director of Social Welfare,
Chepauk, Chennai-5.

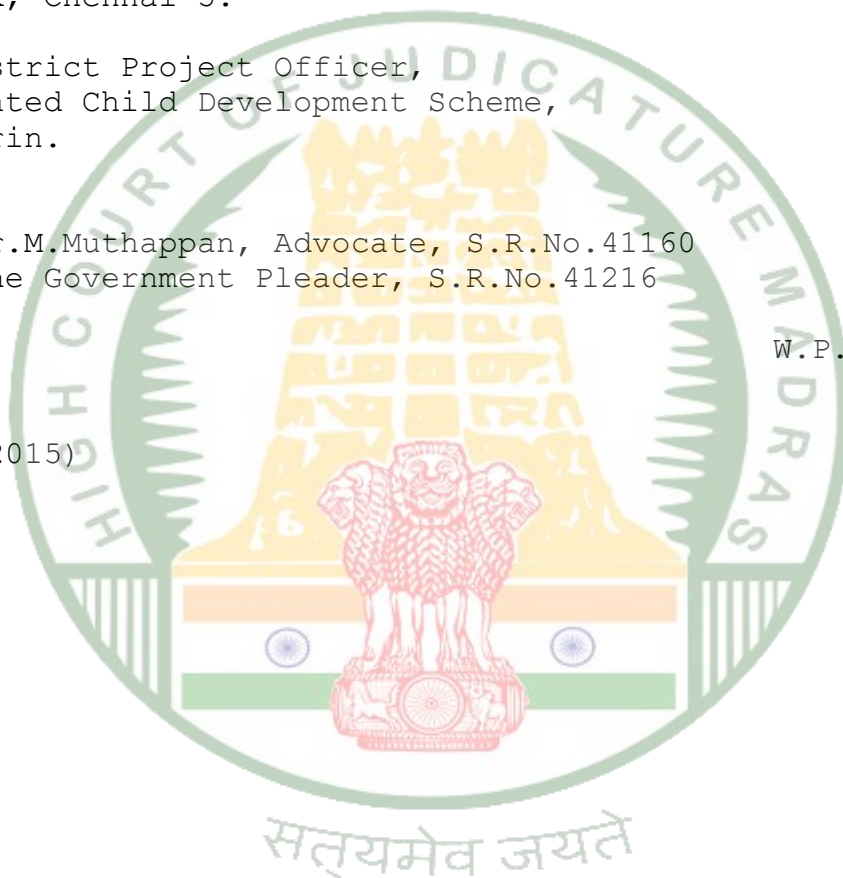
3. The District Project Officer,
Integrated Child Development Scheme,
Tuticorin.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.41160

+1cc to the Government Pleader, S.R.No.41216

W.P.No.24335 of 2015

KM(CO)
CA(24/08/2015)



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