

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24664/2015

S.Nagalakshmi

... Petitioner

Versus

1. The Secretary to the Government
Social Welfare & Nutritious Meal Program
Department, Fort St George, Chennai 600 009.
2. The Director of Social Welfare,
2nd Floor, SIDCO Corporate Office
Old Building, TVK Industrial Estate
Guindy, Chennai 600 032.
3. The District Project Officer
Integrated Child Development Services
Scheme, Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents 1 and 2 to regularise the service of the petitioner in the cadre of the Junior Assistant based on the proposal sent by the 3rd respondent in Na.Ka.No.2270/A1/2010 dated 24.06.2015 within a reasonable time.

For Petitioner : Mr.K.Venkatramani,
Senior Counsel for
Mr.M.Muthappan

For Respondents : Mr.V.Subbiah, AGP

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O R D E R

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

2.The petitioner would state that her mother namely [Late] T.Padmavathi, while serving as Rural Welfare Officer, in the Block Development Office, Singampunari, Sivaganga District, died in

harness on 15.01.1996, leaving behind her husband and two daughters, including this petitioner, to succeed to her estate. The petitioner was aged about 9 years at the time of the demise of her mother and she has completed her higher secondary course [revised pattern] and on attaining the age of majority, sought for appointment on compassionate ground. The petitioner would further state that she is having necessary educational qualification. The application submitted by the petitioner seeking appointment on compassion ground was favourably considered and the petitioner was appointed by the 2nd respondent, vide proceedings dated 06.09.2007 under Rule 10[a][1] of the Tamilnadu State and Subordinate Service Rules as Junior Assistant and she reported for duty before the 3rd respondent on 13.09.2007 and serving the in the department without any complaint whatsoever. The grievance expressed by the petitioner is that though she is in service from 13.09.2007 onwards, her services have not been regularised in the cadre of Junior Assistant by the 1st respondent and the 3rd respondent has also sent a proposal on 11.11.2010 to the 2nd respondent for regularisation. Since further particulars were sought for, the 3rd respondent, vide letter in Na.Ka.No.2270/A1/2010 dated 24.06.2015 has given the said particulars to the 2nd respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3.This Court heard the submissions of Mr.K.Venkataramani, learned Senior counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to forward necessary proposal to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of the said proposal, is directed to consider the same on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

AP

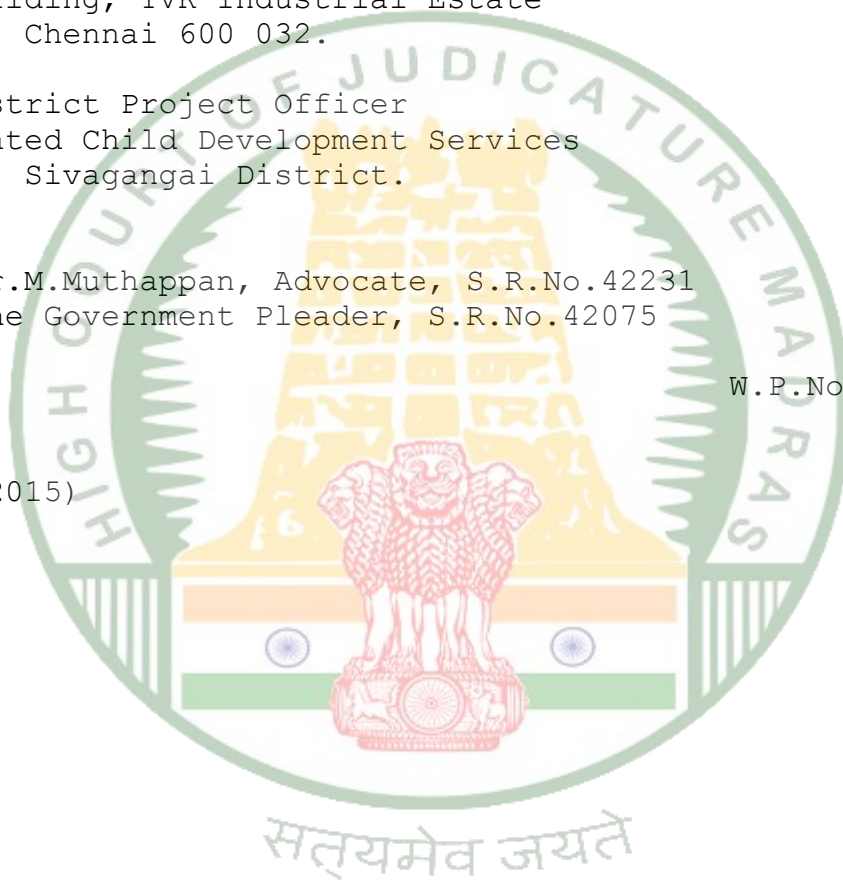
To

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Scheme, Sivagangai District.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.42231
+1cc to the Government Pleader, S.R.No.42075

W.P.No.24664 of 2015

LRS(CO)
CA(02/09/2015)



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