

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28663 of 2015

P.Chellam

... Petitioner

- Vs -

1.The Director of Adidravidar Tribal Welfare,
Chennai 600005.

2.The District Adi Dravidar Welfare Officer,
Perambalur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the the respondents to appoint the petitioner herein a young widow to the post of cook in the Girls Hostel of the 2nd respondent pursuant to the interview card dated 9.2.2011 in Na.Ka. I2/1732/10 putting the petitioner in time scale of pay of the Rs.4800-10000 with grade pay of Rs.1300/- p.m. from the present post of Sweeper Petitioner now holds by virtue of the order of 2nd respondent dated 23.12.11 on the consolidated pay of Rs.2000/- p.m. and directing the respondents to pay difference in emoluments between the post of Sweeper and cook.

For Petitioner : Mr.R.Vasudevan

For Respondents : Mr.V.Subbiah, Spl. G.P.

सत्यमेव जयते
ORDER

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

2. The petitioner claims that he belongs to Hindu Adi Dravidar which is a scheduled caste. According to her, she has studied up to VII Standard and she got her name enrolled with the District Employment Exchange at Perambalur and the 2nd respondent vide his proceedings in Na.Ka.No.I2/1732/2010 dated 09.02.2011 sponsored her name to the 1st respondent for interview to the post of Cook in the Office of Adidravidar Welfare. According to her, she had appeared for interview and performed well. But, however, she was not selected and one K.Amudha, who is a junior to her employment seniority, has been

considered for appointment to the post of Cook. It is claimed by the petitioner that in terms of G.O.Ms.No.21, Adidraavidar and Tribal Welfare Department, dated 16.03.2000, the persons, who are seniors in the employment registration, as per the list sent by the Employment Exchange, alone have to be considered and in this regard, she has also submitted a representation to the 2nd respondent. Since no orders have been passed, she has no other go except to approach this court by way of this writ petition for appropriate relief.

3. Heard both sides and also perused the records carefully.

4. Though a larger relief is sought for in the writ petition, taking into consideration of the facts and circumstances of the case, without going into merits of the claim projected by the petitioner, this court directs the petitioner to submit one more representation to the 2nd respondent by enclosing a copy of this order as well as the copy of her earlier representation within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the 2nd respondent shall, in turn, consider the same on merits and in accordance with law after putting on notice the person concerned and the person concerned and pass orders thereon within a period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as the person concerned.

5. The writ petition is disposed of with the above directions. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

kmk

To

- 1.The Director of Adidraavidar Tribal Welfare, Chennai 600005.
- 2.The District Adi Dravidar Welfare Officer, Perambalur.

+1 cc to M/s.R.Vasudevan, Advocate, sr.49795
+1 cc to The Government Pleader, sr.49988.

W.P.No.28663 of 2015

mp co
kra 30/09