

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.38080 of 2015

and

M.P.No.1 of 2015

V.Meendaselvam .. Petitioner

Vs.

1. Government of Tamilnadu
Represented by Secretary to Government
Adi Dravidar and Tribal Welfare Department,
Fort.St.George, Chennai - 600 009.
2. The Director of Adi Dravidar,
and Tribal Welfare Department,
Chepauk, Chennai - 600 005.
3. The District Adi Dravidar and Tribal
Welfare Department,
Cuddalore, Cuddalore District. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to appoint/post the petitioner as Cook (Men) in the ADW Hostel run by ADW Department in Cuddalore District.

For Petitioner : Mr.V.Thirupathi

For Respondents : Mrs.M.E.Raniselvam
Additional Government Pleader

ORDER

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

2. It is the case of the petitioner that he was appointed as Sanitary Worker (Sweeper) through District Employment Exchange, Cuddalore, by proceedings Na.Ka.No.W.10/8300/2011 dated 19.12.2011 and he joined duty on

26.12.2011 in the Government Adi Dravidar Welfare Girls Hostel, Sethiathope. It is further stated that in addition to his duties as Sanitary Worker /Sweeper, whenever the post of cook in the hostel fell vacant or when the regular cook goes on leave, the petitioner has been attending the work of cook also.

3. The petitioner would further state that if there is vacancy in the post of cook, the respondent used to appoint the persons, who were already working as Sweeper in the hostel. Without considering the case of the petitioner, the respondent issued a notification dated 29.10.2015 for appointment of cook in the hostel and therefore, the petitioner along with others gave a representation dated 02.11.2015 to the second respondent. The petitioner would further state that there are totally 24 vacancies and the petitioner is fully qualified and eligible to be appointed as a cook. Since the representation has not been considered, the present writ petition has been filed.

4. This Court, in the light of the above facts and circumstances and without going into merits of the case, directs the petitioner to submit one more representation to the second respondent by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. The second respondent, on receipt of the same, is directed to consider the said representation on merits and in accordance with law and pass appropriate orders within a period of six weeks therefrom and communicate the decision taken, to the petitioner.

With the above said direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.
sms

s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Govt.
Government of Tamilnadu
Adi Dravidar and Tribal Welfare Department,
Fort.St.George, Chennai - 600 009.
2. The Director of Adi Dravidar,
and Tribal Welfare Department,
Chepauk, Chennai - 600 005.

3. The District Adi Dravidar and Tribal
Welfare Department,
Cuddalore, Cuddalore District.

+ 1 cc to Govt.Pleader SR 65211

+ 1 cc to Mr.V.Thirupathi, Advocate SR 65169

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