

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.2068 of 2016

K.Ramesh

.. Petitioner

Vs.

1.The Commissioner,
Commissionerate for the Disabled /
Physically Challenged,
Office at Jawaharlal Nehru Salai,
Inner Ring Road, K.K.Nagar,
Chennai - 600 078.

2.The Headmistress,
Government Higher Secondary
School for the Deaf,
Membalam, Thanjavur - 1.
Thajavur District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to pass appropriate orders on the representation dated 30.12.2015 of the petitioner in the light of the communication dated 09.09.2015 of the second respondent within a time limit that may be stipulated by the Court.

For Petitioner : Mr.P.Ganesan
for Mr.B.Balavijayan

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he belongs to Schedule Caste Community, passed 9th Standard and registered his name in the District Employment Exchange, Thanjavur on 07.02.1996. He was appointed as Night Watchman-cum-Cleaner in the second respondent School on daily wages by a proceedings dated 20.03.2011 and he was discharging his duties from 21.03.2011 to 14.05.2013. Thereafter, he prevented from discharging his duties and therefore, he approached the second respondent. The Labour

Welfare Officer, Thanjavur has also recommended the second respondent to reinstate the petitioner into service.

3.The petitioner would claim that the second respondent has sent a proposal to the first respondent vide Na.Ka.No.622/2015, dated 09.09.2015 for appointment of the petitioner in the same post. Thereafter, the petitioner made a representation dated 30.12.2015 to the first respondent. Since no order has been passed by the first respondent, the present Writ Petition has been filed by the petitioner.

4.Heard the submissions of Mr.P.Ganesan, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5.This Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 30.12.2015 and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sri

To

1.The Commissioner,

Commissionerate for the Disabled /
Physically Challenged,

Office at Jawaharlal Nehru Salai,
Inner Ring Road, K.K.Nagar,Chennai - 600 078.

2.The Headmistress,

Government Higher Secondary
School for the Deaf,

Membalam, Thanjavur - 1.Thajavur District.

+ 1 cc to M/s. B. Balavijayan, Advocate sr.3541

+ 1 cc to the Government Pleader sr.3781

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ALA(CO)

Eu 24.03.16