

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40452 of 2016

P.Radhika

... Petitioner

Vs

1 The Director of Backward
Classes Welfare Ezhilagam
Chepauk Chennai-600 005

2 The District Backward
Classes & Minorities Welfare Officer
Collectorate Building
Sathuvacheri Vellore- 632 009

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the petitioner for regular appointment to the post of Cook based on her qualification by considering the fact that the petitioner is a Destitute Widow working on consolidated pay in the post of Sweeper from 21.10.2013 onwards by considering the representation submitted by the petitioner dated 3.6.2016 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.K.Dhananjayan,
Spl. Govt. Pleader

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider her name for regular appointment to the post of Cook based on her qualification by considering the fact that she is a Destitute Widow working on consolidated pay in the post of

Sweeper from 21.10.2013 onwards by considering her representation dated 3.6.2016 within a time frame to be fixed by this Court.

3. It is the case of the petitioner that her husband died in the year 2008 leaving her and her two young daughters. She is qualified with X Standard and is having experience in cooking. She was appointed as Sweeper on consolidated pay of Rs.2,000/- per month in the department of Backward Class Department in Vellore District. With that meagre amount, she is not in a position to educate her two daughters. Hence, she submitted an application to the post of Cook in any of the schools in time scale of pay under the category of Destitute Widow. There are number of vacancies available in the Hostels which are coming under Backward Classes Department. She is working in the department from 2013 without any regular time scale of pay and her service was not regularized. In this regard, she sent a representation dated 3.6.2016 to the respondents. Since the same was also not considered, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to send a copy of the representation dated 3.6.2016 along with a copy of this order to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the said representation seeking appointment to the post of Cook and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter. The writ petition is disposed of accordingly. No costs.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

To

1 The Director of Backward
Classes Welfare Ezhilagam Chepauk Chennai-
600 005

2 The District Backward
Classes & Minorities Welfare Officer
Collectorate Building
Sathuvacheri Vellore-632 009

+ 1 cc to Mr.G. Sankaran, Advocate Sr.67204

+ 1 cc to Government Pleader Sr.67092

W.P.No. 40452 of 2016

AR-V

Eu 16.12.16



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