

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.476 of 2016

Palaniammal

...Petitioner

Vs

1. The District Collector,
Dharmapuri District, Dharmapuri.

2.The District Schedule Caste and
Schedule Tribal Welfare Officer,
Dharmapuri District, Dharmapuri.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to appoint the petitioner as Cook in the Government Schedule Caste and Tribal Hostel in Dharmapuri District pursuant to her participation in the interview held on 16.12.2015.

For Petitioner : Mr.S.Sivakumar

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

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.According to the petitioner, she belongs to Scheduled Caste community and she studied upto SSLC and she registered her name in the Employment Exchange, Dharmapuri District on 09.02.1994. She is having the cooking experience and she worked in private hostels. The petitioner would further state that due to mistake committed by the Employment Office, Dharmapuri, her name was not in the live list from 2009 and subsequently the same was restored. However, in the meanwhile some of her juniors got appointment. As per the call letter given by the respondents, the petitioner attended interview on 16.12.2015 for the post of Cook in the Government Hostel, situated in Dharmapuri District. However, she was orally informed that she is over aged and she may not get employment.

3.The petitioner would further state that as per G.O. Ms. No.21 dated 02.02.2000, the persons who are registered their name in the Employment Exchange and waiting for a long time, are entitled to get relaxation of age at the rate of one year on completion of every three years. Since the petitioner belongs to Scheduled Caste community, the upper age relaxation is 40 years and she is entitled to for inclusion of 5 years, as per G.O. Ms. No.21 dated 02.02.2000. The petitioner made a detailed representation to the respondents on 16.12.2015 narrating the above facts. Since, no order has been passed, the petitioner filed the present writ petition.

4.Heard the submissions of Mr.S.Sivakumar, 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 limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider the representation of the petitioner dated 16.12.2015 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-IV)

/TRUE COPY/

Sub-Assistant Registrar

vga

To

1. The District Collector,
Dharmapuri District, Dharmapuri.

2.The District Schedule Caste and
Schedule Tribal Welfare Officer,
Dharmapuri District, Dharmapuri.

+1 CC to MR.S.Sivakumar Advocate. SR.NO. 1033

+1 CC to Govt.Pleader. SR.NO. 1382

W.P.No.476 of 2016

CO-MP

JD 11/01/2016