



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22561 of 2016

and

W.M.P (MD) No.16144 of 2016

K.M.Maharani

: Petitioner

Vs.

The Deputy Collector/Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Kuruvikaran Salai,
Near Aravind Eye Hospital,
Madurai - 20.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records pertaining to the impugned proceedings in Na.Ka.No.E7/9330/2016, dated 18.11.2016, signed on 21.11.2016 on the file of the respondent and quash the same as illegal.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondent

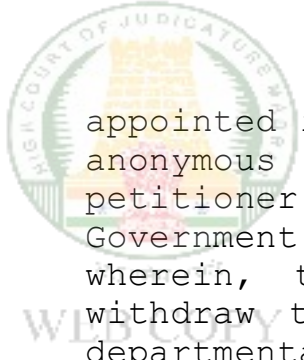
: Mr.D.Mayarajan,
Standing Counsel.

O R D E R

This is a writ petition challenging the impugned proceedings, dated 18.11.2016, issued by the respondent, by which, the petitioner has been called upon to furnish the details of the members of the family, who were in employment at the time of providing compassionate appointment to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for the Tamil Nadu Civil Supplies Corporation, who took notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

3.The case of the petitioner is that the petitioner has been selected for the Government Service as Bill Clerk in the respondent's office on compassionate ground, as his father expired on 14.10.2010, while he was in service. Thereafter, he was



appointed in the respondent Department as Junior Assistant. On an anonymous complaint given by one Mahalaxmi, alleging that petitioner's brother and sister are working as State and Central Government Employees, an enquiry proceedings was initiated, wherein, the petitioner submitted a representation praying to withdraw the proceedings. As the respondent did not stop the departmental enquiry, she filed a writ petition in W.P(MD)No.10262 of 2015 and the same is pending. On 10.11.2016, the respondent asked the very same particulars, for which, she submitted an explanation on 15.11.2016. Thereafter, by the impugned proceedings, dated 18.11.2016, the respondent called upon the petitioner to furnish the details of the members of the family, who were in employment at the time of providing compassionate appointment to the petitioner. In order to quash the same, this writ petition has been filed.

4.The learned counsel for the petitioner would submit that repeatedly the petitioner has been called upon to furnish those details, without the respondent passing any orders on the reply or explanation given by the petitioner. The reply/ explanation of the petitioner is dated 15.11.2016. Even thereafter, the respondent is continuously asking for explanation, is the grievance of the petitioner.

5.The learned counsel for the petitioner would further submit that even though the prayer is widely worded, it would suffice if the respondent is directed to pass orders on the explanation submitted by the petitioner in the light of G.O.Ms.No.155, Labour and Employment Department, dated 16.07.1993.

6.Heard the learned learned Standing Counsel for the Tamil Nadu Civil Supplies Corporation appearing for the respondent.

7.Under the stated circumstances in para 3 and 4, the respondent is directed to pass orders on the explanation submitted by the petitioner dated 15.11.2016, in the light of G.O.Ms.No.155, Labour and Employment Department, dated 16.07.1993, within a period of four weeks, from the date of receipt of a copy of this order.

8.With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/TRUE COPY/



To
The Deputy Collector/Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Kuruvikaran Salai,
Near Aravind Eye Hospital,
Madurai - 20.

+1cc to M/S T.Lajapathi Roy, Advocate SR.No.73200

ORDER MADE IN
W.P (MD) No.22561 of 2016
and
W.M.P (MD) No.16144 of 2016
25.11.2016

GJM/GSV/PM/09-01-2017/3P/3C