

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4122 of 2017

R.Saraswathi

..Petitioner

Vs

1.The District Collector,
Kancheepuram District,
Kancheepuram

2. The Block Development Officer,
Panchayat Union, Acharapakkam,
Kancheepuram District,
Pin - 603301

3. Mrs.Devi,
W/o Jayakumar, Sanitary worker,
Acharapakkam Panchayat Union,
Kancheepuram District

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 05.12.2016 and pass appropriate orders in accordance with law within a reasonable time framed fixed by this Court.

For Petitioner : Mr.M.Abdul Razack

For Respondents: Mr.K.Dhananjayan,
Special Government Pleader
for R1 and R2

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the 1st and 2nd respondents.

2. The grievance expressed by the petitioner is that though she was employed as a Sweeper/Sanitary Worker of the Acharapakkam Panchayat Union in Resolution No.310 dated 11.08.2015 on a daily wage of Rs.297/-, her service have been disengaged from July 2016 onwards. In this regard, she submitted a representation dated 05.12.2016 to the Commissioner of the

said local body and despite receipt and acknowledgement, no orders have been passed. Hence, she came forward to file this writ petition. It is submitted that now the Commissioner has been re-designated as Block Development Officer and it is suffice to direct the 2nd respondent to consider and dispose of the representation on merits within a stipulated time.

3. Per contra, Mr.k.Dhananjayan, learned Special Government Pleader appearing for the 1st and 2nd respondents would submit that admittedly the service of the petitioner came to be engaged purely as a part time basis and therefore, as a matter of right, she cannot claim for regularisation of service and seeks for dismissal of this writ petition.

4. This Court heard the rival submissions and perused the typed set of documents.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 05.12.2016 on merits and in accordance with law, after putting the 3rd respondent on notice, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the 3rd respondent. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi

To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram
2. The Block Development Officer,
Panchayat Union, ,Acharapakkam,
Kancheepuram District, Pin - 603301

+1 CC to Mr.M.Abdul Razack, Advocate Sr.No.10598

+1 CC to Government Pleader, High Court, Chennai Sr.No.11160

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KS (CO)