

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15693 of 2017 and
W.M.P.No.16986 of 2017

M.Bama

... Petitioner

vs.

1.The District Collector
Nagapattinam District
Nagapattinam.

2.The Block Development Officer
Mayiladuthurai
Nagapattinam District.

3.The Correspondent/Headmaster
Vallalar aided Primary School
Murugamangalam Village
Nagapattinam District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the 2 and 3 respondents to implement the appointment order of the first respondent in Na.Ka.No.487/NMS/2016, dated 22.05.2017 within the time frame fixed by this Court.

For Petitioner : Mr.R.Shivakumar
for M/s.K.M.Vijayan ASSO.

For Respondents : Mr.S.Gunasekaran
Additional Government Pleader

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O R D E R

Mr.S.Gunasekaran, the learned Additional Government Pleader takes notice on behalf of the respondents.

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

3. The Grievances set out in this writ petition is that the respondents though issued an order of appointment in favour of the writ petitioner appointing her to the post of Noon-Meal Organizer, the respondents are not implementing the same.

4. The writ petitioner was duly selected in accordance with the procedure and issued with an order of appointment on 22.05.2017. When the petitioner approached the third respondent for joining, the third respondent refused to allow her to join. Then the writ petitioner made a complaint to respondents 1 and 2 and no action has been taken. Under these circumstances, the present writ petition is moved.

5. The learned counsel appearing for the respondents is unable to dispute the order of appointment issued to the writ petitioner on 22.05.2017. May that it be. The order of appointment stands in favour of the writ petitioner and by virtue of same, a right has been accrued to the writ petitioner. Once the order of appointment is issued, the authorities cannot revoke the appointment without following the procedures contemplated under the rules. Such being the case, the petitioner should be allowed to join work in the station, in which he is posted.

6. In view of this, this court is inclined to direct the respondents to allow the writ petitioner to join duty in lieu of the appointment order issued on 22.05.2017. Such exercise shall be carried out by the respondents jointly within a period of two weeks from the date of receipt of a copy of this order.

The writ petition stands disposed of with the above direction. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dna/gpa

1.The District Collector
Nagapattinam District
Nagapattinam.

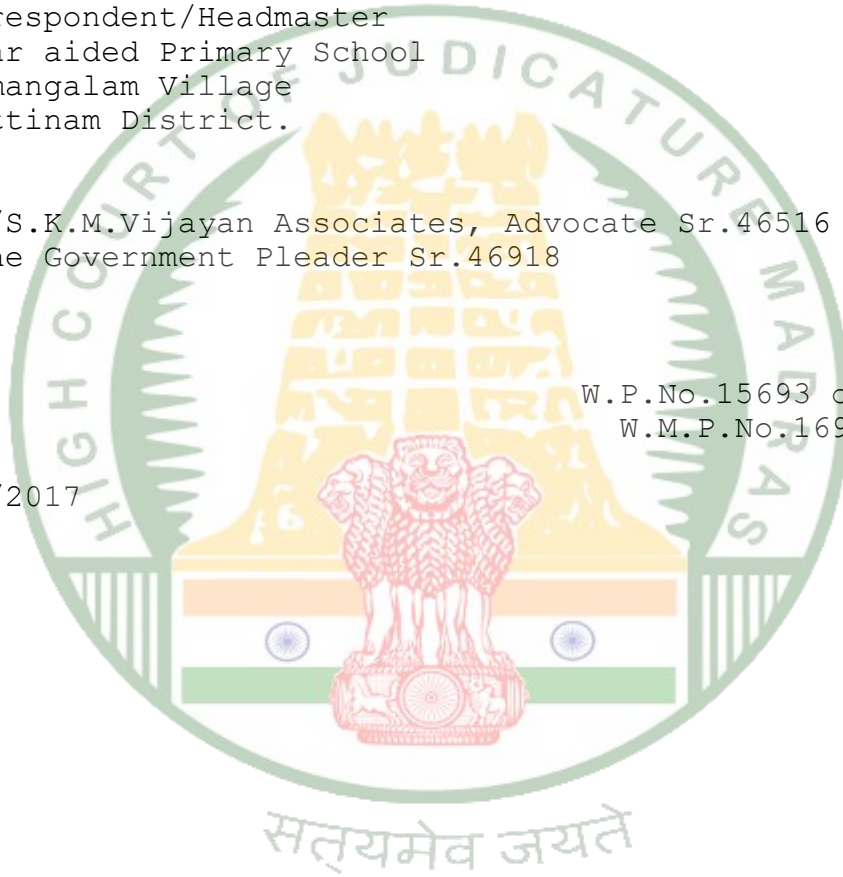
2.The Block Development Officer
Mayiladuthurai
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+1cc to M/S.K.M.Vijayan Associates, Advocate Sr.46516
+1cc to the Government Pleader Sr.46918

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srg 18/07/2017



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