

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2018

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.996 of 2018

R.Saraswathi

Petitioner

vs.

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Block Development Officer
Panchayat Union
Acharapakkam
Kancheepuram District 603 301.

3.Devi

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned order Na.Ka.No.310/2016/A1 dated 19.05.2017 and quash the same and consequently, direct the 2nd respondent to reappoint the petitioner to the post of Sanitary Worker in Acharapakkam Panchayat Union.

For petitioner : Mr.M.Abdul Razack

For R1 and R2 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

Mr. V. Jayaprakash Narayanan, learned Special Government Pleader, accepts notice for respondents 1 and 2.

2. This writ petition has been filed questioning the correctness of the order dated 19.05.2017 passed by the second respondent, in and by which, the petitioner was informed that since she had not turned up for work from July 2016 onwards, in her place, one Devi was appointed as Sweeper. The impugned order was passed pursuant to a direction issued by this Court vide order dated 20.02.2017 in W.P.No.4122 of 2017 preferred by the petitioner.

3. The learned counsel for the petitioner would submit that when the petitioner was appointed as Sweeper from 01.07.2016, all of a sudden, the second respondent refused employment to her and in her place, one Devi has been appointed, which approach is wholly untenable and unjustifiable, inasmuch as the petitioner was appointed only on the basis of the resolution passed by the second respondent.

3. This Court is unable to entertain this writ petition for two reasons. Firstly, the petitioner is not able to produce the order appointing her as Sweeper in the second respondent Panchayat Union. Secondly, when the third respondent herself was appointed on the basis of a resolution, this Court cannot go into the details as to on what basis, the third respondent also has been appointed in the place of the petitioner.

In such perspective of the matter, the writ petition fails as being devoid of merits and the same is accordingly dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gms

To

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Block Development Officer
Panchayat Union
Acharapakkam,
Kancheepuram District 603 301.

+1 CC to Government Pleader, High Court, Chennai Sr.No.4628

W.P. No.996 of 2018

KP(19/02/2018)