

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.34018 OF 2017

Solaimuthu

... Petitioner

Vs.

1. The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
Chennai-9.
2. The Commissioner of Adi Dravidar Welfare,
Chepauk, Chennai-5.
3. The District Adi Dravidar Welfare Officer,
Perambalur District, Perambur.

.... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to appoint the petitioner as a Cook in the Government Adi Dravidar Welfare Hostel based on the petitioner representation made to the 1st and 2nd respondents on 14.09.2016.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.R.S.Selvam

ORDER

The Writ Petition has been filed, directing the 2nd respondent to appoint the petitioner as a Cook in the Government Adi Dravidar Welfare Hostel based on his representation made to the 1st and 2nd respondents on 14.09.2016.

2. The case of the petitioner is that he has registered his name in the Employment Exchange, Perambalur on 18.11.1999 and his registration Number is 2071/1999 and he has also renewed the same periodically. Subsequently, his name was recommended to the Office of the 3rd respondent to the post of Part Time Sweeper in the Adi Dravidar Welfare Hostel and by the proceedings of the 3rd respondent dated 23.12.2011, he was appointed as a part-time Sweeper in the Government Adi Dravidar Welfare Hostel for Men in V.Kalathur.

3. The further case of the petitioner is that in the meanwhile, the 3rd respondent herein called for the applications from the eligible candidates to the post of Cook (Male/Female) in the Government Adi Dravidar Welfare Hostel and the petitioner also attended the interview on 05.08.2015 as per the Interview Letter received by him. But, he was not selected. According to the petitioner, as he has been continuously serving as Part Time Cook in the Government Adi

Dravidar Welfare Hostel, priority should be given to him in selecting the Cook for Government Adi Dravidar Welfare Hostel. Hence, the petitioner sent representations to the respondents on 20.01.2016 and 14.09.2016. But, there was no response for the same. Hence the present Writ Petition.

4. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents.

5. On the face of the records, this Court is of the view that the Writ Petition is not maintainable on the ground of laches on the part of the petitioner because the interview for the post of Cook in the Government Adi Dravidar Welfare Hostel took place on 5.8.2015 and though the petitioner has participated in the same, it is not known why he has not taken any effort to find out his position for more than two years. Under such circumstances, when the said post was already filled up, he cannot approach this Court by way of filing this Writ Petition.

6. In the result, the Writ Petition fails and the same is accordingly dismissed.

02.01.2018

tsi

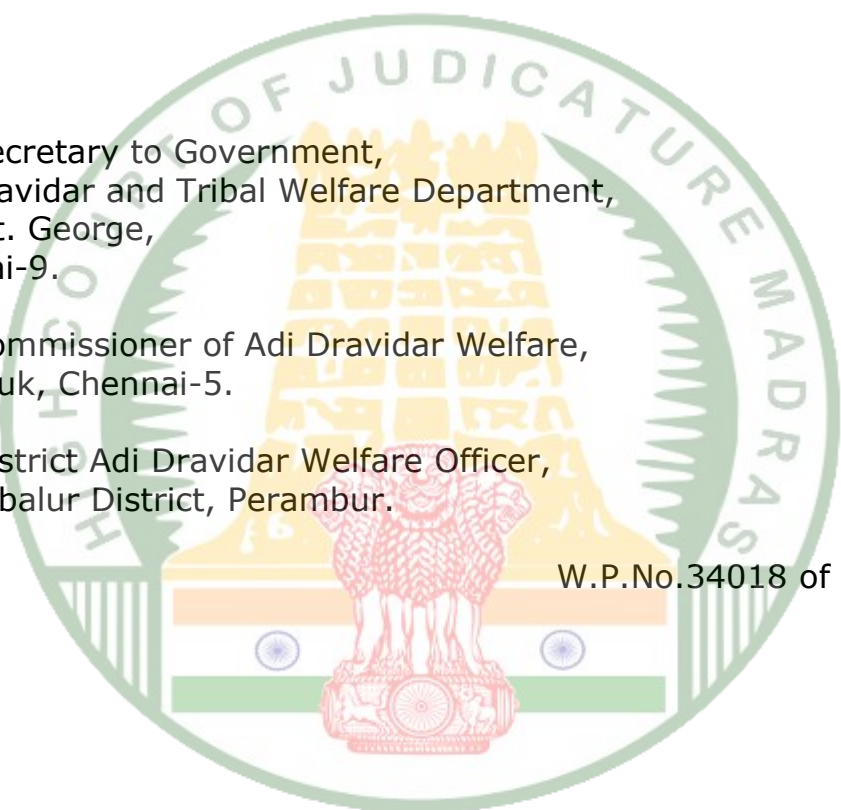
T.RAJA, J.

tsi

To

1. The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
Chennai-9.
2. The Commissioner of Adi Dravidar Welfare,
Chepauk, Chennai-5.
3. The District Adi Dravidar Welfare Officer,
Perambalur District, Perambur.

W.P.No.34018 of 2017

The seal of the Madras High Court is a circular emblem. It features a central golden temple gopuram (tower) with a red lion standing in front of it. The lion is facing forward and is flanked by two smaller lions. Below the lion is a red wheel (Chakras) with a central hub. The entire emblem is set against a background of horizontal stripes in orange, white, and green. The words "HONORABLE COURT OF JUDICATURE MADRAS" are inscribed in a circular border around the emblem. Below the emblem, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

WEB COPY