



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.11.2018
CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

WEB COPY

W.P. (MD) .No.22491 of 2018
and
W.M.P. (MD) .No.20354 of 2018

S.Nirmala

... Petitioner

-vs-

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The District Adi Dravida and Tribal Welfare Officer,
District Collector Office,
Virudhunagar District.

3.The Special Tahsildar,
Adi Dravida Welfare,
Virudhunagar, Virudhunagar District.

4.The Hostel Warden,
Government (AdiNa) Student Hostel,
Alangulam, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ Certiorarified Mandamus, to call for the records of the 1st respondent impugned order in Na.Ka.T2/19550/2017 dated 02.08.2017 and quash the same, consequently directing the 1st respondent herein to regularize the service of the petitioner from the date of appointment with continue to pay the salary every month in accordance with law.

For Petitioner : Mr.S.Mahalakshmi

For Respondents : Mr.J.Gunaseelan Muthiah

Additional Government Pleader

ORDER

Heard Mr.S.Mahalakshmi, learned counsel appearing for the petitioner and Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the respondents.

2.The writ petitioner herein was appointed as a Cook in Adi Dravida Welfare Hostel, on 04.03.2016 and thereafter, a show cause notice dated 02.08.2017 was issued by the District Collector, first respondent herein stating that her appointment was cancelled



for violation of appointment procedure. The said impugned order issued by the first respondent indicates that the writ petitioner herein was appointed unilaterally by the Officer of the Adi Dravidar and Tribal Welfare Department and without concurrence of the President and Member of the Selection Committee. Further, the appointment was made while the election date was announced and the procedures are in force. The first respondent has given 7 days time to the writ petitioner to give explanation as to why her service could not be terminated.

3.The writ petitioner herein has made a representation dated 06.08.2018 to the first respondent. The learned counsel could not produce any acknowledgment for proof of service. In such circumstances, if any representation, in response to the show cause notice dated 02.08.2017, is received by the first respondent, the same shall be considered and after due enquiry, appropriate order shall be passed by the first respondent in accordance with law.

4.With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

- 1.The District Collector,
Virudhunagar, Virudhunagar District.
 - 2.The District Adi Dravida and Tribal Welfare Officer,
District Collector Office,
Virudhunagar District.
 - 3.The Special Tahsildar,
Adi Dravida Welfare,
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- +1cc to Special Government Pleader Sr.No.94620.

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