

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.02.2019
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.2958 of 2019
and
W.M.P.No.3226 of 2019

R.Soniya

... Petitioner

Vs

1.The Principal Secretary,
Department of Husbandry,
Dairy & Fisheries,
St. George Fort,
Chennai - 600 009.

2.The Assistant Director,
Department of Fisheries,
Nagapattinam (North),
Nagapattinam,
Nagapattinam & District.

3.The District Collector,
Collectorate of Nagapattinam,
Nagapattinam,
Nagapattinam District.

4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Myladuthurai Town & Taluk,
Nagapattinam District.

5.The Thasildhar,
O/o. The Thasildhar
Sirkali Town & Taluk,
Nagapattinam District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the District Collector, Nagapattinam District, the 3rd respondent herein to stop all further proceedings of official notification published on 03.01.2019 & 04.01.2019 respectively in the Regional news papers of 'Dinamani & Dinakaran' the Tamil dailies issued by the District Collector, Nagapattinam, the 3rd respondent herein to recruit the 21 posts of 'Village

Assistants' in Sirkali Taluk limit Nagapattinam District, on the basis of the petitioner's representation dated 28.01.2019.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondents: Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

The prayer made in this writ petition is to direct the third respondent not to fill up the post of 'Village Assistants' in Sirkali Taluk, Nagapattinam District, pursuant to the notification published on 03.01.2019 & 04.01.2019 by considering the petitioner's representation dated 28.01.2019.

2. It is the grievance of the petitioner that her husband was a Fisherman and he was found missing, while he went to Sea, during the time of Ockhi Cyclone. Based on the Government order in G.O. Ms No.4, Husbandry Dairy and Fisheries (FS.6) Department, dated 12.01.2018, the 5th respondent has sent a communication dated 22.1.2018 to the 4th respondent with regard to identification of the next kin of missing Fishermen due to Okhi Cyclone. Be that as it may, the petitioner came to understand that a notification has been published in the newspapers inviting applications for the post of 21 Village Assistants in Sirkali Taluk, Nagapattinam District. Hence, the petitioner made a representation dated 28.01.2019 to the 3rd respondent, copies of which are sent to other respondents, requesting to consider her candidature for appointment to the post of Village Assistant on the ground of "next kin of missing Fisher Men due to Okhi Cyclone hit on 30.11.2017", but the same was not considered till date. Hence, this writ petition.

3. Though the petitioner sought a larger relief in this writ petition, the learned counsel for the petitioner, during the course of argument, submitted that the petitioner would be satisfied, if her representation dated 28.01.2019 is directed to be disposed of by the respondents, for which, Mr. A.N.Thambidurai, learned Special Government Pleader taking notice for the respondents, has no serious objection.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the representation of the petitioner, dated 28.01.2019 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of six weeks from the date of receipt of a copy

of this order. The writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To

- 1.The Principal Secretary,
Department of Husbandry, Dairy & Fisheries,
St. George Fort,
Chennai - 600 009.
- 2.The Assistant Director,
Department of Fisheries,
Nagapattinam (North),
Nagapattinam,
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- 3.The District Collector,
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- 5.The Thasildhar,
O/o. The Thasildhar
Sirkali Town & Taluk,
Nagapattinam District.

+1cc to Mr.Dalit Tiger C.Ponnusamy, Advocate, S.R.No. 8591
+1cc to the Government Pleader, S.R.No. 9779

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VBA(CO)
GN(11/03/2019)