

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM

THE HONOURABLE Mr. JUSTICE M. DHANDAPANI

W.P.No.17965 of 2019

and

W.M.P.No.17381 of 2019

R. Settu ... Petitioner

vs

1. Government of Tamil Nadu
represented by its Secretary to Government,
Labour and Employment Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

2. Government of Tamil Nadu
represented by its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

3. The Director/Commissioner of Adi
Dravidar and Tribal Welfare,
Directorate of Adi Dravida Welfare Office,
Chepauk,
Chennai - 600 005.

4. The Commissioner of Labour,
Office of the Commissioner of Labour,
Tamil Nadu Labour Welfare Board Building,
DMS Complex,
Chennai - 600 006.

5. The Additional Commissioner of Labour,
(Chennai Zone),
Office of Additional Commissioner of Labour,
Tamil Nadu Labour Welfare Board Building,
VI Floor, DMS Complex,
Chennai - 600 006.

6.The District Collector,
Vellore District,
Collectorate,
Sathuvachari,
Vellore - 632 009.

7.The District Adi Dravidar and Tribal Welfare Officer,
(DADWO) Vellore District,
Collectorate Campus,
Sathuvachari,
Vellore - 632 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the appointment for the post of Office Assistant in pursuance of G.O.Ms.No.939, Personal and Administrative Reforms (Personal R) Department, dated 24.09.1986 and the Tamil Nadu Arunthathiyars (Special Reservation of Seats in Educational Institutions and of Appointments or Posts in Services under the state within the Reservation for the Scheduled Castes) Act, 2009 and due to the petitioner age limit.

For Petitioner : Mr.R. Anandha Babu

For Respondents : Mrs.R. Janaki,
Additional Government Pleader

ORDER

The case of the petitioner is that the petitioner belongs to Schedule Caste (Arunthathiyar) Community and he studied 10th STD. He has registered his name in the District Employment Office, Vellore District, vide Registration No.VLD 2010M 00002029, dated 08.12.2010. The petitioner's marriage is Inter-Caste marriage and his wife belongs to Hindu Vanniyakula Kshatriyar Community (MBC).

2.It is the further of the petitioner that the petitioner has applied for the post of Office Assistant in the 4th respondent Labour Department. The Educational Qualification to the said post was 8th pass and the age limit for SC, SC(A)s, STs and Destitute Widows of all Castes was below 35 years as on 01.07.2018. The petitioner has age limit on the date of filing the application. The reason for apprehension is that he could not be able to get appointment of any post.

3.The learned counsel appearing for the petitioner would submit that the Government passed an order in G.O.Ms.No.939, Personal and Administration Reforms (Personal) Department, dated 24.09.1986 stating that Inter-Caste couple has to be given priority in sponsoring candidates through Employment Exchange. Therefore, the petitioner's request for appointment has to be considered under the said G.O. The learned counsel appearing for the petitioner would further submit that the petitioner may be permitted to make a representation to the District Employment Officer as well as to the 7th respondent to forward his name to get the appointment as per the Seniority.

4.Mrs.Janaki, learned Additional Government Pleader appearing for the respondents conceded to the limited request made by the learned counsel for the petitioner.

5.In view of the limited request made by the learned counsel appearing for the petitioner, I am inclined to grant permission to the petitioner to make a representation to the 7th respondent as well as to the District Employment Officer. If any representation is received from the petitioner, the concerned District Employment Officer and the 7th respondent are directed to consider the representation of the petitioner and forward his name as per the seniority as expeditiously as possible.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(insp cell)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mps
To

1.The Secretary to Government,
Government of Tamil Nadu,
Labour and Employment Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
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3.The Director/Commissioner of Adi
Dravidar and Tribal Welfare,
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7.The District Adi Dravidar and Tribal Welfare Officer,
(DADWO) Vellore District,
Collectorate Campus,
Sathuvachari,
Vellore - 632 009.

8.The District Employment Office,
Vellore District, Vellore.

+2ccs to Mr.R.Anandha Babu , Advocate SR.No. 77633
+1 cc to Government Pleader Sr.No. 78421

W.P.No.17965 of 2019
and
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A.SK(22/10/2019)