

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.20037 of 2019

S.Revathy
W/o.Sathish

...Petitioner

Vs

1.The State of Tamil Nadu
represented by its
Secretary,
Department of Law and Justice,
Fort St.George,
Chennai.

2.The Judicial Department of the Nilgiris District,
The Honourable District Judge,
District Court of the Nilgiris,
Udhagamandalam,
Nilgiris District.

3.The Nilgiris District Employment Officer,
Employment Exchange Registration,
Block 4, Additional Collectorate,
Finger Post,
Udhagamandalam - 643 006.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents to consider the representation of the petitioner dated 19.11.2018 for appointment to the post of Junior Assistant and Clerk in accordance with law and on humanitarian grounds and give the petitioner the appointment to the aforesaid job if the petitioner is otherwise found to be eligible and consequently grant such other relief as deemed fit.

For Petitioner : Mr.P.V.Ravichandran

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader [R1 & R3]
Mr.K.Elango [R2]

O R D E R

[Order was made by R.SUBBIAH, J]

Petitioner has filed the above Writ Petition seeking issuance of a Writ of Mandamus directing respondents to consider the petitioner's representation dated 19.11.2018 for appointment to the post of Junior Assistant and Clerk in accordance with law and on humanitarian grounds and appoint the petitioner in the aforesaid job if the petitioner is otherwise found to be eligible and consequently, grant such other relief as deemed fit.

2. According to the petitioner, petitioner belongs to Mandadan (Moundadan) Chetty Community, which is recognised as a Most Backward Class as per the Government Order (Manuscript Series) No.28, Backward Classes and Most Backward Classes Welfare dated 19.07.1994 vide Serial No.164. Petitioner is physically handicapped and she holds a post graduate degree in M.Com in Computer Application. Petitioner has applied for the posts of Junior Assistant and Clerk pursuant to orders of this Court in W.P.Nos.32836 and 33647 of 2007 dated 28.02.2008 and W.P.No.28941 of 2011 dated 28.02.2011. A call letter has been sent to the Nilgiris District Employment Officer to sponsor eligible candidates for the following posts (existing vacancy & anticipated vacancy) in respect of Judicial Department of the Nilgiris District. Therefore, petitioner submitted a representation dated 19.11.2018 to the second respondent requesting to consider her application for appointment to the posts of Junior Assistant and Clerk in accordance with law. Since no action has been taken on the petitioner's representation, she has filed the present Writ Petition seeking the aforesaid relief.

3. Heard learned counsel for petitioner, learned Special Government Pleader for respondents 2 and 3 and learned counsel for second respondent.

4. When the matter is taken up for consideration, learned counsel for second respondent submits that a notification has already been issued by second respondent indicating the number of vacancies for each post. Learned counsel further submits that the second respondent will dispose of the petitioner's application within a reasonable period.

5. Considering the said submission, this Court directs the second respondent to consider the petitioner's representation dated 19.11.2018 and pass orders on merits and in accordance with law at the earliest, preferably, within a period of two weeks from the date of receipt of this order.

The Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Secretary,
Department of Law and Justice,
Fort St.George,
Chennai.
2. The District Judge,
The Judicial Department of the Nilgiris District,
District Court of the Nilgiris,
Udhagamandalam,
Nilgiris District.
- 3.The Nilgiris District Employment Officer,
Employment Exchange Registration,
Block 4, Additional Collectorate,
Finger Post,
Udhagamandalam - 643 006.

+1cc to the Government Pleader Sr.58563
+1cc to Mr.P.V.Ravichandran, Advocate Sr.57789

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srg 08/08/2019