

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 30423 of 2019

S. Jayachitra

... Petitioner

Vs.

The Commissioner of Social Defence,
No.300, Purasaiwalkam High Road,
Vepery, Chennai - 600 010.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the Respondent to dispose of the Petitioner's Representation dated 31.08.2019.

For Petitioner : Mr. S. Ilamvaludhi

For Respondent : Mr. A. N. Thambidurai
Special Government Pleader

O R D E R

This writ petition has been filed by the Petitioner seeking for the issuance of Writ of Mandamus, to direct the Respondent to dispose of the Petitioner's representation dated 31.08.2019, within the time frame that may be fixed by this Court.

2. Heard the learned counsel appearing for the Petitioner and the learned Special Government Pleader appearing for the Respondent.

3. According to the Petitioner, she is orphan child, after demise of her father she was admitted in the Government Children Home called Annai Sathya Memorial Home, Thanjavur, and she studied M.A., M.phil and B.Ed. According to the Petitioner, the Government of Tamil Nadu issued several orders giving preference to the inmates as and vacancies arose in the Social Defence Department and several inmates have also been appointed in the existing vacancies, according to their qualifications. While so, the Government issued G.O.Ms.No.57, Social Welfare and Nutritious Meal Programme (SW8) (2) Department, dated 20.07.2016, wherein, it has been ordered that all the vacancies arising in the Department of Social Defence in Group "C" and "D"

categories which are outside the purview of the TNPSC (Tamil Nadu Public Service Commission) shall be reserved to the inmates and ex-inmates of Children Homes, Observation Homes, Special Homes etc., and these vacancies would be filled up by outsiders, if suitable candidates to the vacancies are not available. In this regard, it appears that the Petitioner made a detailed representation on 31.08.2019 to the Respondent, to consider her claim for appointment in a suitable post by giving preference to the inmates. Since, no action has been taken on her representation, the Petitioner is before this Court.

4. The learned counsel for the Petitioner, while reiterating the averments made in the writ petition, would submit that on an earlier occasions this Court has passed orders directing the Government to give preference to the inmates whenever the vacancies arise in the Social Defence Department based on the qualifications and even though the Petitioner made a representation on 31.08.2019, the Respondent has not considered the same and not passed any orders therein.

5. The learned counsel appearing for the Petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Respondent to consider the Petitioner's representation dated 31.08.2019 and to pass appropriate orders.

6. The learned Special Government Pleader appearing for the Respondent would submit that, if such direction is given, the Respondent would comply with the same by considering the representation made by the Petitioner in accordance with law.

7. Considering the facts and circumstances of this case and in view of the limited request made by the learned counsel appearing for the Petitioner, I am inclined to issue direction to the Respondent to consider the Petitioner's representation dated 31.08.2019, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. The writ petition is accordingly disposed of. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

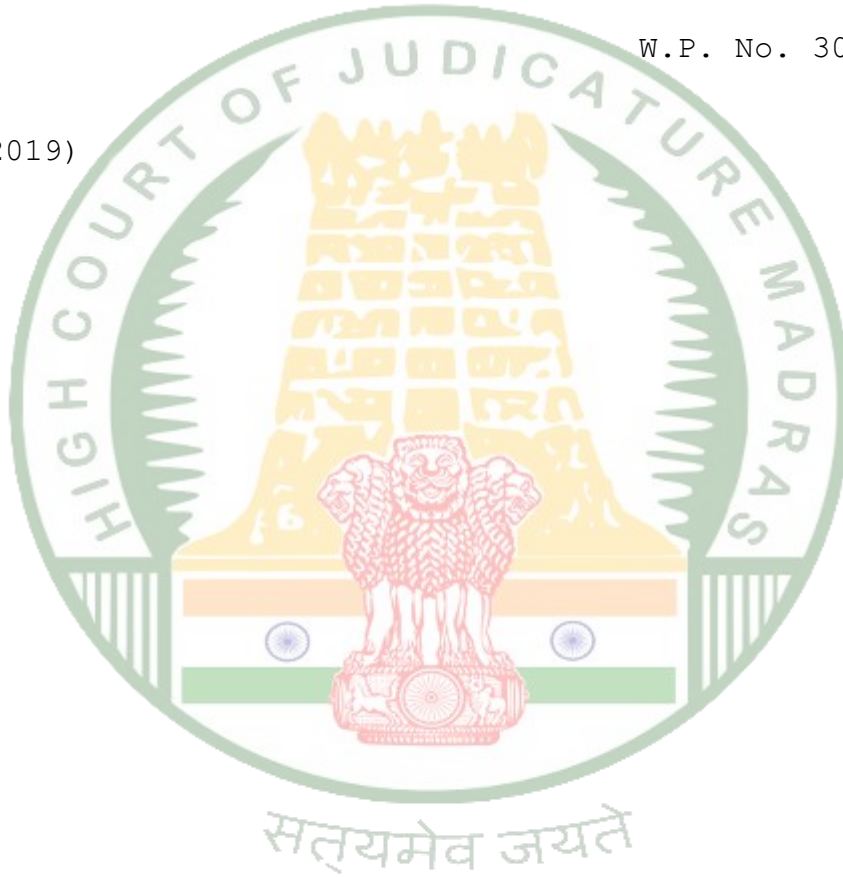
To

The Commissioner of Social Defence,
No.300, Purasaiwalkam High Road,
Vepery, Chennai - 600 010.

+1 CC to Mr.S. Ilamvaludhi, Advocate sr 89425
+1 CC to Govt. Pleader sr 89948.

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SPD(CO)
SP(06/12/2019)



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