



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32709 of 2019

1.N.Chandran
2.G.Raja
3.M.Elavarsan
4.R.Azhagumuthu
5.P.Tamilselvi
6.S.Sarasu

... Petitioners

.Vs.

1.The Director,
Adhidraavidar Welfare Department,
Chennai-5.

2.The Director,
Tribal Welfare Department,
Chennai-5.

3.The District Adidraavidar Welfare Officer,
Trichirrapalli District.

4.The District Planning Officer (Tribal Welfare),
Trichirrapalli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st and 2nd respondents to consider the representation of the petitioners dated 5.3.2018 and 3.06.2019 and pass appropriate orders and to consider the case of the petitioners for an appointment to the post of cook in Adidraavidar and tribal welfare schools within Trichy District.

For petitioners : Ms.Pappitha
for Mr.S.Selvathirumurugan

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

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.



2. The case of the petitioners is the Scheduled tribe community and they completed craftsmanship course of instruction in food production (cook) at the Institute of Hotel Management and catering technology and they had also underwent 8 months Industrial practical training in three star hotel and passed in second class in the month of June 2005 and a certificate was issued by Shanmuga memorial board of Technical autonomous Education and Training Tamil Nadu. It is pointed out that certain similarly placed candidates viz; Tmt.N.Pushpam and four others had filed W.P.No.6182 of 2011 dated 19.04.2011 before this Court to consider the representation dated 07.02.2011 regarding their appointment to the post of cook in Adi Dravidar and Scheduled Tribes Hotels under the control of the 2nd respondent. After several litigations, this Court issued a direction to the respondents to give advertisement for filling up the said posts. It is stated that age-relaxation should be given to the petitioners, the 3rd respondent had chosen to take the upper age limit as one of the criteria to reject the claim of the petitioners. Thereafter, the petitioners filed further representation before the 1st respondent for age relaxation on 05.03.2018 and 03.06.2019. But till date the respondents 1 and 2 have not considered the approval of the petitioners' appointment. Hence, the petitioners have filed the present petition.

3.Heard both sides.

4.The learned counsel appearing for the petitioners would submitted that it would suffice, if a direction is issued to the respondents to consider the representation dated 05.03.2018 and 03.06.2019, in the light of orders passed by this Court in W.P.No.6182 of 2011 dated 19.04.2011, and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioners have sought for a larger relief, this Court without going into the merits of the case, direct the respondents to consider the petitioners representation dated 05.03.2018 and 03.06.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar



To

1.The Director,
Adhidraavidar Welfare Department,
Chennai-5.

2.The Director,
Tribal Welfare Department,
Chennai-5.

3.The District Adidraavidar Welfare Officer,
Trichirrapalli District.

4.The District Planning Officer (Tribal Welfare),
Trichirrapalli District.

+1cc to Mr.S.Selvathirumurugan, Advocate SR.No.97487

+1cc to Government Pleader, High Court,Madras SR.No.98026

W.P.No.32709 of 2019

CA (CO)
GMY (03/01/2020)



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