

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32030 of 2019 and

W.M.P.No.32278 of 2019

M.Hemalatha

... Petitioner

Vs.

- 1.The Commissioner for Welfare of the Differently Abled Persons, Office of the Commissioner for Differently Abled, Lady Wellington College Campus, No.5, Kamarajar Salai, Triplicane, Chennai-600 005
 - 2.The District Differently Abled Welfare Officer, Office of the District Differently Abled Welfare Officer, D.M.S.Complex, Tenampet, Chennai - 600 006
 - 3.The Principal / Correspondent, Bala Vihar Special School, No.10, Halls Road, Kilpauk, Chennai - 600 010
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to regularize her post as Secondary Grade Assistant with 3rd respondent School, on and from 02.01.2017, with all attendant service benefits and permit her to rejoin duty, as such, forthwith.

For Petitioner : Mr.S.Kadarkarai

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

O R D E R

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

2.The case of the petitioner is that the petitioner was appointed as Secondary Grade Assistant(Special School) in the third respondent School. On the same day, the third respondent forwarded a proposal for regularization of the

appointment to the second respondent. Thereafter the second respondent forwarded the same to the first respondent. In this regard, for the purpose of regularisation, the petitioner made a representation on 09.08.2019 to the first and second respondents, but till date the same has not been considered. Hence, the petitioner has filed the present petition.

3. Heard both sides.

4. The learned counsel appearing for the petitioner submitted that though the proposal was forwarded to the first and second respondents, it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner dated 09.08.2019 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, directs the first respondent to consider the representation of the petitioner dated 09.08.2019 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, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner for Welfare of the Differently Abled Persons, Office of the Commissioner for Differently Abled, Lady Wellington College Campus, No.5, Kamarajar Salai, Triplicane, Chennai-600 005
2. The District Differently Abled Welfare Officer, Office of the District Differently Abled Welfare Officer, D.M.S. Complex, Tenampet, Chennai - 600 006
3. The Principal / Correspondent, Bala Vihar Special School, No.10, Halls Road, Kilpauk, Chennai - 600 010

+1cc to Mr.S.Kadarkarai, Advocate SR.95956
+1cc to the Government Pleader SR.95583

W.P.No.32030 of 2019

(CO)
CB(12/12/2019)



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