



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.16728 of 2018

R.Dhanalakshmi

... Petitioner

Vs.

1.The Secretary to the Government,
Labour and Employment Department,
Saint Fort George,
Chennai - 600 009.

2.The Assistant Director,
Town Panchayats,
Trichy Zone,
Trichy -1.

3.The Executive Officer,
Uppiliapuram Town Panchayat,
Thuraiyur Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pass appropriate orders on the petitioner's representation dated 11.07.2018 in the light of G.O.(Ms).No.1499, Labour and Employment Department, dated 03.08.1989.

For Petitioner	: Mr.N.Ananda Kumar
For Respondent Nos.1 & 2	: Mr.CM.Marichellaiah Prabhu, Additional Government Pleader
For Respondent No.3	: Mr.VR.Shanmuganathan

ORDER

This writ petition has been filed seeking to direct the respondents to pass appropriate orders on the petitioner's representation dated 11.07.2018 in the light of G.O.(Ms).No.1499, Labour and Employment Department, dated 03.08.1989.

2. According to the learned Counsel for the petitioner, being a Sweeper, under the 3rd respondent, the petitioner, relying upon GO (Ms)No.1499, Labour and Employment Department dated 03.08.1989, made a representation dated 11.07.2018 to the respondents, and sought appointment to the post of Junior Assistant. Since no orders have been passed on her representation, she is before this Court.



3.The learned Counsel appearing for the respondents submitted that the respondents are taking shelters under GO(Ms)No.206 Municipal Administration and Water Supply (Town Panchayat-I), Department dated 02.11.1995, wherein it is stated that the legal heirs of the deceased employees, who held the post of Record Clerk, Office Assistant and Night Watchman, alone can be appointed as Junior Assistant and Typist on compassionate ground. Whereas, in this case, the petitioner's father was a Sweeper and hence, her claim could not be considered.

4.Under such facts and circumstances of the case and also having regard to the submissions made on either side, the respondents are directed to give appropriate communication to the petitioner by considering her representation dated 11.07.2018 on merits and in accordance with law, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS)

dsk
To

- 1.The Secretary to the Government,
Labour and Employment Department,
Saint Fort George, Chennai - 600 009.
- 2.The Assistant Director,
Town Panchayats,
Trichy Zone, Trichy -1.
- 3.The Executive Officer,
Uppiliapuram Town Panchayat,
Thuraiyur Taluk,
Trichy District.

+1CC TO MR.N.ANANDA KUMAR, Advocate Sr. No.50314
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 50131

ORDER MADE IN
WP (MD) No.16728 of 2018
25.02.2019