

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR

WP(MD) No.393 of 2019
and
W.M.P. (MD) No.330 of 2019

K.BALA KRISHNAN

... PETITIONER

- Vs -

- 1 THE DIRECTOR
ADI DRAVIDAN WELFARE DEPARTMENT,
CHEPAUK, CHENNAI
- 2 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER,
RAMANATHAPURAM DISTRICT, RAMANATHAPURAM.

- 3 P.MALAIVASAGAM ... RESPONDENT
R3 IS IMPEADED VIDE COURT ORDER DATED
12/06/2019 IN WMP(MD) NO.2040/2019.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the order passed by the 1st respondent vide his proceedings in Na.Ka.No. 2/19740/2018 dated 27.12.2018 and quash the same and consequently direct the 1st respondent to allow the petitioner to serve as a Warden in the hostels where the petitioner's have been rendering the petitioners service as of now.

Prayer in WMP(MD). 330/ 2019 :

To Stay all further proceedings of the order passed by the 1st respondent vide his proceedings in Na.Ka.No.2/19740/2018 dated 27.12.2018 pending the disposal of the main WP.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.ANAND, Advocate for the petitioner and of Mr.AAYIRAM K.SELVAKUMAR, Additional Government Pleader for R1 & R2 and Mr.RAJAKATHIKEYAN, Advocate for R3, the court made the following order:-

It is brought to the notice of this Court that the post of Teacher in Adi Dravidar Welfare Department Higher Secondary Schools are interchangeable.

2.The learned counsel on either side would submit that the maximum period to continue the Warden in the same place is three years.

3.It is surprised that as to how the first respondent permitted the petitioner and the third respondent to serve in the same place for more than three years. Hence, the first respondent is directed to furnish all the relevant particulars before this Court that any similarly placed persons are continued to work in the same place as Warden in the Adi Dravidar Welfare Schools for more than three years. If that being so, the first respondent shall explain before this Court on what circumstances, they shall be allowed to continue to work in the same place for more than three years. If this Court is not satisfied with the explanation offered by the first respondent, the first respondent shall appear before this Court on the next hearing date.

Post this Writ Petition on 03.07.2019, for filing counter affidavit on behalf of the first respondent.

sd/-
18/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DIRECTOR
ADI DRAVIDAN WELFARE DEPARTMENT,
CHEPAUK, CHENNAI

2 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER,
RAMANATHAPURAM DISTRICT, RAMANATHAPURAM.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.10028

ORDER
IN

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W.M.P.(MD)No.330 of 2019
Date :18/06/2019

MS/VR/SAR-1/20.06.2019/2P.4C