



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.08.2019
CORAM:
THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WEB COPY

W.P(MD)No.7885 of 2019

K. Anbarasi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Personal Assistant to Collector,
(Nutritious Meal Programme),
Dindigul Collectorate,
Dindigul.

3.The Commissioner,
Ottanchatram Panchayat Union,
Ottanchatram,
Dindigul District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records connected with the impugned order in Na.Ka.No.030/ 2019/ Voo.Va.13, dated 28.02.2019 passed by the 2nd respondent denying permission to join duty and quash the same and consequently direct the respondents to permit the petitioner to join duty as Cook Assistant as per the order of appointment dated 16.11.2017 passed by the 2nd respondent in any one of the four vacant centres at Chinnakaratupatty, Periyakarattupatty, Kandappagowndan Valasu and Royagowndanpudur at 3rd respondent Union in view of the hospitalization and surgery to the petitioner, surgery to the one and half year old daughter and the sudden demise of the petitioner's father.

For Petitioner : Mr. S. Govindan

For R1 & R2 : Mr. Aayiram K. Selvakumar
Additional Government Pleader

For R3 : Mr. S. Dhayalan
Government Advocate



ORDER

This writ petition has been filed to quash impugned order passed by the 2nd respondent in Na.Ka.No.030 / 2019 / Voo.Va.13, dated 28.02.2019 denying permission to join duty as Cook Assistant, as per the order of appointment dated 16.11.2017 passed by the 2nd respondent in any one of the four vacant centres at Chinnakarattupatty, Periyakarattupatty, Kandappagowndan Valasu and Royagowndanpudur at 3rd respondent Union in view of the hospitalization and surgery to the petitioner, surgery to the one and half year old daughter and the sudden demise of the petitioner's father.

2. According to the respondents, they have cancelled the appointment order issued to the petitioner. But, they have not produced a copy of the cancellation order passed by them. Further, it is stated in the counter affidavit that the said post is kept vacant.

3. At the time of hearing, the learned counsel appearing for the petitioner submitted that even though a larger relief is sought for in this Writ Petition, it would suffice, if a direction is issued to the 3rd respondent to consider and pass orders on the representation of the petitioner dated 28.03.2019.

4. In the light of the aforesaid submission made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 3rd respondent to consider the representation of the petitioner, dated 28.03.2019 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The District Collector,
Dindigul District,

<https://hcservices.gov.in/hcservices/>



2.The Personal Assistant to Collector,
(Nutritious Meal Programme),
Dindigul Collectroate,
Dindigul.

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3.The Commissioner,
Ottanchatram Panchayat Union,
Ottanchatram,
Dindigul District.

+1 CC to M/s.S.GOVINDAN, Advocate (SR-79900[F] dated 06/08/2019)

+1 CC to M/s.SPL GP (SR-80280[F] dated 07/08/2019)

TRP

W.P (MD) No.7885 of 2019
06.08.2019

KM/(09.09.2019) 3P 6C