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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.1915 OF 2018

(Through Video Conferencing)

K.Lalitha

... Petitioner

.Vs.

The Registrar
Annamalai University,
Annamalai Nagar,
Chidambaram,
Pin Code - 608 002,
Cuddalore District.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the respondent to regularize the service of the petitioner in the cadre of Junior Assistant from the date of her initial appointment on 27.05.2011 by considering her representation dated 01.12.2017 with all consequential service and monetary benefits within a time limit to be stipulated by the Court.

For Petitioner : Mr.S.Mani

For Respondent : Mr.K.Sathish Kumar

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to regularize the service of the petitioner in the cadre of Junior Assistant from the date of her initial appointment on 27.05.2011 by considering her representation dated 01.12.2017 with all consequential service and monetary benefits within a time limit to be stipulated by the Court.



2. The petitioner was appointed on the compassionate ground on 27.05.2011 by the respondent University after the death of her husband on 22.12.2009. The petitioner's husband was working as a Foreman Grade-I. It is case of the petitioner that she is only drawing a consolidated pay and here service has not been regularized as a permanent employee despite a lapse of almost 8 years from the date of her appointment.

3. It is also the case of the petitioner that she sent representations dated 11.09.2013 and 01.12.2017. However, since there is no response from the respondent University on the said representations, this Writ Petition has been filed.

4. Defending the stand of the respondent University, the learned counsel for the respondent submits that the respondent was taken over by the Government of Tamil Nadu by way of Annamalai University Act, 2013, repealing the Old Act, 1928. It is submitted that as on 13.10.2012, about 7,173 surplus staffs were working and steps have been taken for deploying them and therefore there was no scope for accommodating the petitioner as a permanent employee of the respondent University.

5. The learned counsel for the respondent further submitted that under these circumstances, by an order dated 09.03.2015 in R.Shubashini Vs. State of Tamil Nadu and others, in W.P.No.1744 of 2015, this Court has ordered as follows:-

5. The third respondent is directed to consider and dispose of the case of the petitioner for compassionate appointment in the light of the seniority list maintained by the University.

6. Considering the above, this Court is inclined to pass the similar order by directing the respondent to consider the representation dated 01.12.2017 of the petitioner and dispose the same by maintaining the seniority list in the respondent University.

7. This Writ Petition is disposed of. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jen



To

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District - 608 002.

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+1cc to Mr.S.Mani, Advocate, S.R.No.37815

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CA (CO)
PBS/31/08/2021