



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10258 of 2021

WEB COPY

P.Parvathy

... Petitioner

vs.

1.The Director,
Rural Development and Panchayat Raj,
Panagal Building,
Saidapet,
Chennai.

2.The District Collector,
Collectorate Campus,
Dindigul District,
Dindigul.

3.The Chairman,
O/o.The Panchayat Union Office,
Nilakottai,
Dindigul District.

4.The Commissioner,
O/o.The Panchayat Union Office,
Nilakottai,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to grant consent for the appointment of the petitioner as Office Assistant in terms of guideline issued by the Secretary to Government in G.O.Ms.No.114, Rural Development Department dated 06.05.2000 and consequently, to direct the third respondent to appoint the petitioner as Office Assistant on the basis of selection made by the third respondent, by considering the Petitioners representation, dated 18.05.2021 and 26.05.2021.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For RR 1 & 2 : Mr.P.Subbaraj
Government Advocate

For R - 3 : Mr.Marees Kumar

For R - 4 : Mr.A.Baskaran



ORDER

The petitioner has filed the present Writ Petition, to direct the second respondent to grant consent for the appointment of the petitioner as Office Assistant in terms of guideline issued by the Secretary to Government, Rural Development Department in G.O.Ms.No.114, dated 06.05.2000 and consequently, to direct the third respondent to appoint the petitioner as Office Assistant on the basis of selection made by the third respondent, by considering her representations, dated 18.05.2021 and 26.05.2021.

2.According to the petitioner, the second respondent, by proceedings, dated 18.12.2020 published a notification for the appointment to the post of Office Assistant in the third respondent Panchayat Union and the same was also published in the Daily Newspaper. In the notification, three posts were earmarked for the third respondent Panchayat Union, out of which, one post has been earmarked for SC (A) Women (Destitute Widow). Further, according to the petitioner, her husband died and she is a destitute widow, applied for the post on 07.01.2021. The third respondent called the petitioner to appear for the interview scheduled to be held on 20.02.2021. The petitioner participated in the interview and produced all the documents. She was the only women candidate appeared under the communal roster of SC (A) Women (Destitute Widow). She was orally informed that the appointment order will be issued to her after obtaining approval from the second respondent/District Collector.

3.In the meanwhile, due to election to the State Assembly, no appointment order was issued to the petitioner. After the election was over, on enquiry, the petitioner was informed that the proposal sent by the respondents 3 and 4 is pending with the second respondent. On approval of the second respondent, appointment order will be issued to the petitioner. The petitioner gave representations, dated 18.05.2021 and 26.05.2021 to the respondents. So far no action has been taken. Hence, the petitioner has come out with the present Writ Petition.

4.Mr.Marees Kumar, learned counsel appearing for the third respondent submitted that the petitioner is the only women SC (Aaruthariyur) (Widow), who attended the interview and she was selected. The proposal sent to the second respondent for approval is pending. On approval of the second respondent, appointment order will be issued to the petitioner.

5.Mr.P.Subbaraj, learned Government Advocate appearing for the respondents 1 and 2 submitted that the proposal of the third respondent will be considered and appropriate orders will be passed, considering the representation of the petitioner, dated 26.05.2021.



6.Heard the learned counsel appearing on either side and perused the entire materials available on record.

7.Considering the above submissions of the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent, it is suffice to direct the second respondent to consider the proposal sent by the third respondent and the representation of the petitioner, dated 26.05.2021, for appointing her as Office Assistant, taking into consideration the guidelines issued in G.O(Ms)No.114, Rural Development (E5) Department, dated 06.05.2000, and pass orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

8.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Director,
Rural Development and Panchayat Raj,
Panagal Building,
Saidapet,
Chennai.

2.The District Collector,
Collectorate Campus,
Dindigul District,
Dindigul.



3.The Commissioner,
O/o.The Panchayat Union Office,
Nilakottai,
Dindigul District.

WEB COPY

+1 CC to M/s.SPL GP (SR-22116[F] dated 12/07/2021)

+1 CC to M/s.AJMAL ASSOCIATES,Advocate(SR-22049[F] dated 12/07/2021)

+1 CC to M/s.A.BASKARAN, Advocate (SR-22055[F] dated 12/07/2021)

W.P (MD) No.10258 of 2021
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RK (22.07.2021) 4P 7C