



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.[MD]Nos.12039, 12834 & 15265 of 2020

1.J.Muthuraman	
2.K.Kalimuthu	
3.A.Poornadevi	
4.G.Muthukrishnan	: Petitioners in W.P.[MD]No.12039/2020
5.R.Rajesh	: Petitioners in W.P.[MD]No.12834/2020
6.P.Ramyadevi	
7.M.Muthukrishnan	
8.S.Sundaravalli	: Petitioners in W.P.[MD]No.15265/2020

Vs.

1. The Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 5.
2. The District Collector,
Virudhunagar,
Virudhunagar District.
3. The District Adi Dravidar and Tribal Welfare Office,
District Collector Office,
Virudhunagar District. ... Respondents in all Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writs of Mandamus, directing the first and third respondents herein to fill up the identity existing vacancies of Cooks and Sweepers as per the communication of the third respondent in Na.Ka.T2/36910/2019 dated 03.12.2019 in Government(A.di.Na) Students Hostels, Virudhunagar District in so far as petitioners herein and to enable the petitioners herein to continue working in the existing vacancies with all consequential monetary benefits from the date of appointment in accordance with law.

For Petitioner : M/s.S.Mahalakshmi
For Respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.VR.Shanmuganathan
Special Government Pleader
[In all writ petitions]



COMMON ORDER

In all these writ petitions, the petitioners were selected through interviews and appointed for the post of Cook by the third respondent herein on a regular time scale. It is claimed that thereafter, the petitioners were orally terminated from their service. The prayer in the present writ petitions is for a direction to the respondents to fill up the existing vacancies of Cooks under the third respondent Directorate.

2.Earlier, when the petitioners herein had approached this Court seeking for permission to continue in the post of Cooks, this Court in the batch of writ petitions in W.P.[MD]Nos.25490 of 2018 etc., had, through its order dated 01.02.2019, as clarified in the subsequent order dated 08.03.2021, held that the 13 persons, which includes the petitioners herein, whose appointment orders were irregularly issued, will be accommodated, as and when future vacancies arises.

3.It is the case of the petitioner that there exists vacancies in the hostels attached to the third respondent directorate and therefore, in view of the orders of this Court in W.P.[MD]Nos.25490 of 2018 etc., the petitioners are entitled to be accommodated on priority.

4.The learned Additional Advocate General would submit that if any vacancies are available and as and when any future vacancies arises, the appointments for the posts of Cooks in the various hostels attached to third respondent, would be made with a priority to the 13 candidates referred to in the earlier batch of cases in W.P.[MD]Nos.25490 of 2018 etc., and the remaining would be filled up through the regular selection process.

5.In view of the submission made by the learned Additional Advocate General, the petitioners herein may not have any further grievance.

6.In the light of the above observations, there shall be a direction to the third respondent herein to identify all the vacancies for the post of Cooks in the various hostels attached to the third respondent directorate to accommodate the 13 candidates referred to in the earlier batch of cases in W.P.[MD]Nos.25490 of 2018 etc., dated 01.02.2019 / 08.03.2021, which shall include the petitioners herein also and issue appropriate orders of appointment. The third respondent herein shall endeavour to identify the vacancies for the post of Cooks in the hostels atleast within a period of two [2] months from the date of receipt of this order and on identification of such 13 vacancies, appropriate appointment orders shall be issued to the 13 persons including the petitioners herein at least within a period of one [1] month from the date of identification of the 13 vacancies.



7.The Writ Petition stands disposed of, accordingly. However, there shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 5.
2. The District Collector,
Virudhunagar,
Virudhunagar District.
3. The District Adi Dravidar and Tribal Welfare Office,
District Collector Office,
Virudhunagar District.

+8cc to M/s.S.Mahalakshmi, Advocate Sr.No.13251

COMMON ORDER MADE IN
W.P.[MD]Nos.12039, 12834 & 15265 of 2020
22.03.2021

VB (08.04.2021) 3P 12C