



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WEB COPY

Writ Petition (MD)No.10242 of 2017

E.Shanmugavalli

.. Petitioner

Vs.

The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to provide suitable job of Lab Assistant, by considering the petitioner's representation, dated 19.04.2017, within the period as stipulated by this Court.

For Petitioner

: Mr.A.Haja Mohideen

For Respondent

: Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

O R D E R

This writ petition has been filed for a direction to the respondent to provide suitable job of Lab Assistant to the petitioner, by considering the petitioner's representation, dated 19.04.2017.

2. The case of the petitioner is that she has completed Bachelor of Commerce degree in the year 1997 and she got married one Balakrishnan and they have blessed with two children. While so, the petitioner's husband died on 30.11.2009. In the circumstances, the respondent called for applications, for the post of Lab Assistants in all the Schools, in the Notification dated 22.04.2015. The petitioner has applied for the said post and her application was accepted under widow quota and she attended the written examination and secured 40 marks. Thereafter, screening test was held in the respondent office on 10.04.2017, in which, she secured 15 marks. Further, the result for the Lab Assistants May - 2015 was published on 17.04.2017. However, the petitioner's name was not shown in the list. Therefore, the petitioner has submitted a detailed representation to the respondent, on 19.04.2017. But till date no order was passed. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondent is directed to



dispose of the representation of the petitioner, dated 19.04.2017, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondent would submit that the post of Lab Assistant was earmarked for MBC category under the destitute widow priority and one S.Pandeswari secured more than the petitioner and she was selected. He would further submit that without challenging the said order, the petitioner has filed the present writ petition and hence, the prayer sought for in this writ petition cannot be granted.

5. Repudiating the submissions made by the learned Additional Government Pleader, the learned counsel for the petitioner would submit that till date the appointment order issued to the Pandeswari was not served to the petitioner to challenge the same.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondent to consider the petitioner's representation, dated 19.04.2017 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-9475[F] dated 08/03/2021)

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VR(CO)

KB(23.03.2021) 2P 3C