



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.3899 of 2016

and

W.M.P (MD)No.3487 of 2016

WEB COPY

J.Joesph Suresh

... Petitioner

Vs.

1.The Commissioner

Differently abled Welfare Department,
State Resource Training Centre,
K K Nagar, Chennai 78

2.The Secretary to the Government,

Differently abled Welfare Department,
St. George Fort, Chennai-9.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to provide C & D category of Government service on the light of the G.O.Ms.No.32 of Differently abled Welfare Department(Ma.Thi.Na.2.2) dated 08.09.2011 based on the circular in Na.Ka.No.2483/Ma.Thi.Na-3-1/2012 dated 28.10.2013 within the period that may be stipulated by this Court.

For Petitioner : Mr.A.Rajkumar Sen

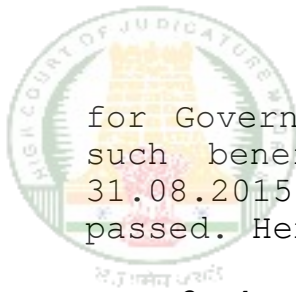
For Respondents : Mr.D.Muruganantham

Additional Government Pleader

O R D E R

This Writ Petition is filed for a direction to the respondents to provide C & D category of Government service, on the light of the G.O.Ms.No.32 of Differently abled Welfare Department(Ma.Thi.Na.2.2) dated 08.09.2011, based on the circular in Na.Ka.No.2483/Ma.Thi.Na-3-1/2012, dated 28.10.2013.

2.The case of the petitioner is that he is a physically challenged person and he has possessed B.Com degree. The petitioner registered his name in the District Employment Exchange, Nagercoil, on 27.08.2005 and he belongs to M.B.C category. The petitioner is a physically challenged Athletic International "Wheel Chair fencing" Champion and he was participated in International Tournament, at China on 09 and 10th September 2007 and 27 to 29th April 2012 at Canada International Events and awarded Bronze Medal. As per G.O.Ms.No.32 of Differently abled Welfare Department (Ma.Thi.Na.2.2) dated 08.09.2011, the physically challenged athletics won Gold or Silver or Bronze Medals on International Tournaments are eligible



for Government appointment in C and D category. In order to avail such benefit, the petitioner has made representations, dated 31.08.2015, 15.12.2015 and 28.01.2016. Since no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation, dated 28.01.2016 within the reasonable time as fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents has no serious objection for considering the petitioner's representation.

5.Considering the facts and circumstances of the case, this Court direct the respondents to consider the petitioner's representation dated 28.01.2016 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.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Commissioner

Differently abled Welfare Department,
State Resource Training Centre,
K K Nagar, Chennai 78

2.The Secretary to the Government,

Differently abled Welfare Department,
St. George Fort, Chennai-9.

+1 CC to M/s.SPL GP (SR-13315 & 13331[F] dated 24/03/2021)

W.P. (MD)No.3899 of 2016
and W.M.P(MD)No.3487 of 2016
23.03.2021

SSS (CO)

TR(15.04.2021) 2P 4C