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W.P. No.30378 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30378 of 2022

R. Selvarasu ... Petitioner

VS.

1. The State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2. The Director of
Adi Dravidar Welfare Department,
Chepauk,
Chennai – 600 005.

3. The District Collector,
Salem District,
Salem 636 001.

4. The District Adi Dravidar Welfare Officer,
Salem District,
Salem 636 001.

5. The Special Tahsildar (ADW),
Attur,
Salem District 636 102.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus directing the respondents to pass orders for



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allowing the petitioner to join the post of Cook in Government ADW Boys Hostel, Gangavalli Post and Taluk, Salem District, based on the appointment order issued by the 4th respondent in Na.Ka.No.32623/2011/D4, dated 06.01.2016, in consideration of representation submitted the petitioner, with consequential and other attendant benefits.

For petitioner	: Mr.G.Sankaran
For respondents	: Mrs. C. Sangamithirai Special Govt. Pleader for R1, R2 & R4 Mr.L.S.M. Hasan Fizal, Addl. Govt. Pleader for R3

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mrs.C. Sangamithirai, learned Special Government Pleader accepts notice for the 1st, 2nd and 4th respondents and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader accepts notice for the 3rd respondent.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representations for appointment as a Cook pursuant to the appointment order dated 06.01.2016 issued by the 4th respondent.



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4. The petitioner claims that even though he was appointed as a Cook pursuant to the order of the 4th respondent dated 06.01.2016, till date, he has not been assigned duty as a Cook. The petitioner has given several representations earlier. Since those representations have not been considered by the respondents, till date, this writ petition is filed. It is also stated that due to the pendency of writ petitions filed by others, the appointment order dated 06.01.2016 has not been implemented.

5. Heard Mr.G. Sankaran, learned counsel for the petitioner, Mrs.C. Sangamithirai, learned Special Government Pleader appearing for the 1st, 2nd and 4th respondents and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader for the 3rd respondent.

6. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. The petitioner has filed the appointment order dated 06.01.2016 as a document along with this writ petition. The petitioner has also enclosed the representations given by him earlier for implementation of the appointment order dated 06.01.2016.

8. No prejudice would be caused to the respondents, if the petitioner is allowed to give a fresh representation seeking for



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implementation of the appointment order dated 06.01.2016 issued by the 4th respondent in his favour.

9. This Court is not expressing any opinion on the merits of the petitioner's claim.

10. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the 4th respondent requesting for implementation of the appointment order, dated 06.01.2016 issued in his favour, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 4th respondent is directed to pass final orders on merits and in accordance with law, within a period of six weeks thereafter.

11. With the aforesaid directions, this writ petition is disposed of.

No costs.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2



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To

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Chennai – 600 009.

2. The Director of
Adi Dravidar Welfare Department,
Chepauk,
Chennai – 600 005.

3. The District Collector,
Salem District,
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ABDUL QUDDHOSE, J.

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