



WEB COPY

W.P.Nos.30734, 30740 and 30742 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

**W.P.Nos.30734, 30740 and 30742 of 2022
and WMP Nos.30166, 30167, 30169, 30170, 30171 and 30172 of 2022**

A.Gopalakrishnan	... Petitioner in W.P.No.30734 of 2022
K.Raja	... Petitioner in W.P.No.30740 of 2022
A.Vijayakumar	... Petitioner in W.P.No.30742 of 2022

vs.

1. The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai-600 009
2. The Commissioner of Adi-Dravidar Welfare
Chepauk,
Chennai – 5.
3. The District Adi-Dravidar & Tribal Welfare Officer,
Chengalpattu District, Chengalpattu
.. Respondents in all the writ petitions

Prayer : Writ petitions filed under Article 226 of the Constitution of India,
to issue a Writ of Certiorarified Mandamus calling for the records pertaining



to the orders of the 2nd respondent in Na.Ka.No.Tha.2/0950/2020 dated 26.05.2020 and the consequential orders of the 3rd respondent in Na.Ka.No.J2/320/2022 , dated 09.11.2022 and quash the same and direct the respondents to continue the service of the petitioners in the post of 'Cook' with all monetary benefits.

For Petitioners : Mr.S.Kamadevan
For Respondents : Mrs.C.Sangamithirai
Spl.Government Pleader

COMMON ORDER

In these writ petitions, the respective petitioners are Cooks and they have challenged the Circular dated 26.05.2020 and the termination order dated 09.11.2022. Based on the impugned Circular dated 26.05.2020, the petitioners have been terminated from service as Cooks by the termination order dated 09.11.2022. Both the Circular as well as the termination order have been challenged in these writ petitions on the ground that the same are arbitrary and illegal and have been issued by violating the principles of natural justice.

2. Heard, Mr.S.Kamadevan, learned counsel for the petitioners and Mrs.C.Sangamithirai, learned Special Government Pleader accepts notice on



behalf of the respondents.

WEB COPY

3. Learned counsel for the petitioners, would now submit that the petitioners are not pressing the relief with regard to the challenge to the Circular dated 26.05.2020 and they will be satisfied if similar orders are passed as was passed by this Court in a batch of Writ Petitions in W.P. Nos.23381 of 2022 etc., batch, filed by the similarly placed Cooks who were terminated from service on 10.11.2022 in WP Nos.23381 of 2022 etc., batch.

4. In the present cases also, the respective petitioners were issued appointment orders in the year 2021 and they have been terminated from service under the impugned termination orders. The batch of writ petitions referred to supra also dealt with similar cases. Therefore, the order passed by this Court on 10.11.2022 in WP Nos.23381 of 2022 etc., batch should enure to the benefit of these petitioners also.

5. After recording the submissions made by the learned counsel for the petitioners that he is not pressing the challenge to the Circular dated



26.05.2020 issued by the second respondent, the impugned termination order dated 09.11.2022 issued by the third respondent in these writ petitions are hereby quashed and the following directions are issued as was done in the connected batch of writ petitions in WP Nos.23381 of 2022 etc., batch dated 10.11.2022.:-

- a) The respondents are directed to issue a fresh show cause notice to the respective petitioners with regard to their termination, within a period of two weeks from the date of receipt of a copy of this order,
- b) On receipt of the said show cause notice, the respective petitioners, if they are aggrieved by the same shall send reply stating their objections, within a period of two weeks thereafter.
- c) On receipt of the reply from the respective petitioners, the respondents shall afford one personal hearing to the respective petitioners and shall pass final orders on merits and in accordance with law, after giving due consideration to the objections raised by the respective petitioners in their reply, within a period of



WEB COPY



two weeks thereafter.

d) The services of the respective petitioners who were employed as Cooks on the date of the passing of the impugned orders shall not be disturbed by the respondents till final orders are passed by the respondents.

6. With the aforesaid directions, these writ petitions are disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

18.11.2022

sr

Index: Yes/No

Speaking/Non-speaking orders

To

1. The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Fort St. George,
Chennai-600 009
2. The Commissioner of Adi-Dravidar Welfare
Chepauk,
Chennai – 5.

5/6



3. The District Adi-Dravidar & Tribal Welfare Officer,
Chengalpattu District, Chengalpattu

WEB COPY

ABDUL QUDDHOSE, J.

sr

W.P.Nos.30734, 30740 and 30742 of 2022

18.11.2022