



W.P.No.22732 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.22732 of 2019

C.Gowri

... Petitioner

Vs

1.The District Collector,
Vellore District, Collectorate,
Vellore – 632 009.

2.The District Revenue Officer,
Vellore District, Collectorate,
Vellore – 632 009.

3.The District Supply Officer,
Vellore District, Collectorate,
Vellore – 632 009.

4.The Taluk Supply Officer,
Katpadi Taluk,
Office of the Tahsildar,
Katpadi.

5.The Secretary,
Katpadi Primary Agricultural
Co-operative Credit Society,
Katpadi.

... Respondents



W.P.No.22732 of 2019

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to appoint the petitioner as Sales Woman/Assistant Sales Woman in the Aruppumedu Woman Fair Price Shop or in any other Woman Fair Price Shop immediately.

For Petitioner : Mr.T.M.Hariharan

For R1 to R4 : Mr.T.M.Rajangam
Government Advocate

For R5 : Mr.K.Arun Babu

ORDER

The writ petitioner seeks for issuance of a writ of Mandamus to direct the respondents to appoint the petitioner as Sales Woman/Assistant Sales woman in Aruppumedu Woman Fair Price Shop or in any other Woman Fair Price Shop.

2.The facts as set out by the writ petitioner in the affidavit filed in support of the writ petition are that the petitioner was appointed as an Assistant Sales Woman in the Women Fair Price Shop at Aruppumedu Village in and by proceedings of the second respondent dated 04.09.1997.



W.P.No.22732 of 2019

Subsequently, by proceedings dated 13.01.2015, the second respondent posted the petitioner at Chenpakkam Women Fair Price Shop. However, the petitioner was not allowed to join at the said Fair Price Shop by the incumbent there. The petitioner therefore sent representations to the second and third respondents and finally on 21.01.2019, the petitioner sent a detailed representation requesting that she may be posted either in Aruppamedu Women Fair Price Shop or in any other Women Fair Price Shop. As there has been no reply or action taken subsequent to the representation dated 21.01.2019, the petitioner has approached this Court by filing the present writ petition.

3.The third respondent has filed a counter affidavit stating that the petitioner has to blame herself for being transferred out of Aruppamedu Women Fair Price Shop as she had behaved erratically and the Villagers even staged a road roko against her in view of her conduct. Only in such circumstances, the writ petitioner was transferred to Chenpakkam Fair Price Shop, but the petitioner did not chose to join at Chenpakkam Fair Price Shop. It is further stated in the counter affidavit that subsequently the



W.P.No.22732 of 2019

petitioner was transferred to Rangapuram Fair Price Shop as Assistant Sales

Woman in and by proceedings dated 08.02.2016 but the petitioner did not join there also. Further, the third respondent states that there is no vacancy in any Women Fair Price Shop and if and when there are any vacancies, the petitioner's name would be considered.

4.The writ petitioner filed a reply affidavit denying the averments and allegations made in the counter affidavit, specifically the allegation with regard to the posting at Rangapuram Fair Price Shop. The petitioner has categorically asserted that she never received any such posting order.

5.Heard Mr.T.M.Hariharan, learned counsel appearing for the petitioner, Mr.T.M.Rajangam, learned Government Advocate appearing for the respondents 1 to 4 and Mr.K.Arun Babu, learned counsel appearing for the 5th respondent.

6.Today, the learned Government Advocate submitted the latest proceedings issued by the second respondent in R.C.No.J3/2923/2018 dated



W.P.No.22732 of 2019

09.06.2023, wherein the second respondent has reiterated the averments made in the counter affidavit filed before this Court and has also concluded saying that there are no vacancies as of now which is the same stand that was taken in the counter affidavit also.

7.Considering the fact that the petitioner has been out of employment for the past few years and the fact that the respondents are not averse in employing her or posting her in some other Women Fair Price Shop by categorically asserting in their counter that as and when vacancy arises the petitioner would be considered, this Court is inclined to dispose of the writ petition directing the second respondent to consider the petitioner's posting in any Women Fair Price Shop on a priority basis as and when next vacancy arises.

8.With these directions, the writ petition is disposed of. No costs.

12.06.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
cse



W.P.No.22732 of 2019

WEB COPY To

- 1.The District Collector,
Vellore District, Collectorate,
Vellore – 632 009.
- 2.The District Revenue Officer,
Vellore District, Collectorate,
Vellore – 632 009.
- 3.The District Supply Officer,
Vellore District, Collectorate,
Vellore – 632 009.
- 4.The Taluk Supply Officer,
Katpadi Taluk,
Office of the Tahsildar,
Katpadi.
- 5.The Secretary,
Katpadi Primary Agricultural
Co-operative Credit Society,
Katpadi.



WEB COPY



W.P.No.22732 of 2019

P.B.BALAJI, J.

cse

W.P.No.22732 of 2019

12.06.2023