



WEB COPY



W.P.No.16608 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16608 of 2022

Mrs. R. Suseela

...

Petitioner

versus

1. The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Fort St. George,
2. The Director,
Adi Dravidar & Tribal Welfare Department,
Chepauk, Chennai 600005.
3. The District Collector,
Dharmapuri District.
4. The District Adi Dravidar & Tribal Welfare Officer,
Dharmapuri District.
5. The Special Tahsildar (ADW)
Harur

Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd Respondent to consider the petitioner's application dated 30.03.2022, on merits and allow her to retire from service and grant all consequential benefits.



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For Petitioner : Mr. Krishnaswamy Chinnasamy
For Respondents : Mr. S. Prabakaran
Government Advocate [for R1 to R5]

ORDER

This writ petition is filed to issue direction to the 3rd Respondent to consider the petitioner's representation dated 30.03.2022 on merits and allow her to retire from service and grant all consequential benefits.

2. It is the case of the Petitioner that her husband was worked as Cook in Adi Dravidar and Tribal Welfare Hostel and he died in the year 1985 and the petitioner was appointed in the same post on compassionate ground on 28.04.1986. On 09.05.1997 she was suspended stating that the petitioner's appointment is irregular. During the suspension period no subsistence allowance paid to the petitioner and there was no enquiry conducted for more than 12 years. After repeated requests, during Jan 2010 the Respondents have started enquiry and it is pending as on date. In the meanwhile the petitioner was superannuated on 30.06.2010. Hence, the



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Petitioner has given representation to the respondent on 30.03.2022 to allow her to retire from service and to grant all consequential benefits. Since no orders passed in the above representation, the petitioner has filed this writ petition.

3. On perusal of the records, it came to know that the Petitioner has been terminated from the service for forging some documents on 10.5.1997 and she made a representation to the Director of Adi Travidar and Tribal Welfare Department only on 10.03.2022 i.e., after more than twelve years.

4. Considering the delay in making representation for more than twelve years, this court cannot pass a blanket direction or order.

5. In such a view of the matter, the writ petition is dismissed. No costs.

28.07.2023

NCC : Yes /No

Index : Yes/No

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N.SATHISH KUMAR, J.,

ggs

copy to:

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Government of Tamil Nadu, Adi Dravidar & Tribal Welfare Department,
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