



W.P.No.367 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.367 of 2023

A.Meiyappan

.. Petitioner

VS

1.The State of Tamil Nadu

Rep. By its Additional Chief Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The Director,

Adi Dravidar Welfare Department,
Chepauk, Chennai – 600 005.

3.The District Collector,

Salem District,
Salem – 636 001.

4.The District Adi Dravidar Welfare Department,

Salem District,
Salem – 636 001.

5.The Special Tashildar (ADW),

Attur, Salem District – 636 102.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the respondents to
pass orders for allowing the petitioner to join the post of cook in



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Government Boys Hostel Sathapadi Attur Taluk Salem District based on the appointment order issued by the 4th respondent in Na.Ka.No. 32623 / 2011 / D4 dated 06.01.2016 and the order of transfer issued by the 4th respondent in Na.ka.No. 13659 / 2016 / D4 dated 19.08.2016 in consideration of representation submitted the petitioner dated 15.7.21 with consequential and other attendant benefits within a time frame to be fixed by Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

1. The grievance of the petitioner in this writ petition is that similarly placed persons who were appointed as Cook were re-instated into service pursuant to the undertaking given by the respondents in the contempt petition, namely, Cont.P.No.154 of 2021.

2. The petitioner was also a party / contempt petitioner in the contempt petition. According to the petitioner, even though others have been re-instated into service, the petitioner has been left



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out. Under such circumstances, he has given a representation on 15.07.2021 to the respondents requesting them to re-instate him as Cook. Since his representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader accepts notice on behalf of the respondents.

4. The petitioner has filed documents including the orders passed by this Court in the contempt petition along with the writ petition to substantiate his claim that he is entitled for re-instatement as Cook along with similarly placed persons who have already been re-instated. It is for the respondents to consider the said documents / orders on merits and decide as to whether the petitioner is entitled for re-instatement or not.

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



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6. For the foregoing reasons, this Court directs the fourth respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 15.07.2021 seeking for reinstatement pursuant to the order dated 22.02.2021 issued by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition is disposed of. No costs.

06.01.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

1.The Additional Chief Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Secretariat,
Chennai – 600 009.

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

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4.The District Adi Dravidar Welfare Department,
Salem District,
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ABDUL QUDDHOSE,J.

ssm

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