



W.P.No.29784 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.29784 of 2011

Gowri

...Petitioner

Vs

The Secretary to Government,
Public (Law and Order-F) Department,
Government of Tamil Nadu,
Chennai – 600 009.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent impugned order in Kaditha En.1700/Sa(Ma)Oo-F/2011-2 dated 01.07.2011 and quash the same consequently directing the respondent to provide appointment to the petitioner as Office Assistant in any Government department as per the recommendations of the Justice Mr.M.S.Janarthanam Inquiry Commission dated 18.11.2008.

For Petitioner : Mr.J.Saravana Vel

For Respondent : Mr.D.Gopal, Additional Government Pleader



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ORDER

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The Writ Petition is filed calling for the records of the respondent impugned order in Kaditha En.1700/Sa(Ma)Oo-F/2011-2 dated 01.07.2011 and quash the same consequently directing the respondent to provide appointment to the petitioner as Office Assistant in any Government department as per the recommendations of the Justice Mr.M.S.Janarthanam Inquiry Commission dated 18.11.2008.

2.When the matter was taken up on 01.12.2023, this Court passed the following order,

“This Writ Petition is filed challenging the order dated 01.07.2011 in and by which, in respect of the custodial death of the husband of the petitioner, the Government accepted the One Man Enquiry Commission report, in respect of payment of compensation and no employment as recommended by the commission was given to the petitioner. In the counter affidavit filed, the respondents have stated that they have decided in respect of the compensation and not in respect of employment.

2.Further, subsequently, it seems that the petitioner was employed as Noon Meal Organizer. In the order of employment there is a specific clause that the appointment is



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temporary in nature.

3. The learned Special Government Pleader is required to get instructions,

(i) As to the nature of employment, whether it is temporary in nature or regular Noon Meal Organizer,

(ii) Produce the decision taken by the Government on the One Man Commission report.

4. Post the matter on 12.12.2023.”

3. It is now submitted by the learned Government Advocate that compensation has been paid to the petitioner and learned counsel for the petitioner also admitted that petitioner was paid compensation. Insofar as the employment was concerned, learned Government Advocate submitted that petitioner was appointed as Noon Meal Organizer in time scale of pay of Rs.7700-24200 as per the proceedings in Na.Ka.Pidi1/298/2016, dated Nil.06.2018.

4. Though the order reads that, it is only a temporary employment, now it is informed, on instructions, that petitioner's service has been regularized and she is working in permanent capacity.



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G.CHANDRASEKHARAN, J.

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5.In view of the fact that petitioner was granted compensation and she is holding a permanent employment as Noon Meal Organizer, this Court finds that nothing survives in this Writ Petition.

6.Accordingly, this Writ Petition is disposed as infructuous. No costs.

27.03.2024

Index:Yes/No
Speaking order/Non-speaking order
gd

To

The Secretary to Government,
Public (Law and Order-F) Department,
Government of Tamil Nadu,
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