



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.23388 of 2024

Shanthi

... Petitioner

Vs.

- 1.The Principal Secretary to the Government
Adi Dravidar Welfare, Hill Tribes and Bonded Labour Welfare Department,
Secretariat, Chennai.
- 2.The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai-05.
- 3.The District Collector
Collectorate,
Tiruppur-641 604.
- 4.The District Adi Dravidar Welfare Officer,
The Schedule Caste and Schedule Tribes Welfare Department,
Tiruppur, Tiruppur District.



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5.The Special Tashidar

The Schedule Caste and Schedule Tribes Welfare Department,
Tasildar Officer Compound,
Kangeyam,
Tiruppur, Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 5th respondent herein to consider the representation of the petitioner dated 06.02.2024 and pay back wages and salary for 370 days of wrong posting at Government Adi Dravidar Gents Hostel, Kaniyur.

For Petitioner : Mr.S.Madhusudanan

For Respondents : Mr.K.Tamilvendan
Government Advocate

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 5th respondent to consider the representation made by the petitioner on 06.02.2024, wherein, the petitioner is seeking for payment of back wages and salary for 370 days.



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2.Heard Mr.S.Madhusudanan, learned counsel appearing on behalf of the petitioner and Mr.K.Tamilvendan, learned Government Advocate appearing on behalf of the respondents.

3.The case of the petitioner is that she was working as a Cook and she was transferred to Adi Dravidar Welfare Boys Hostel at Kaniyur through proceedings dated 16.12.2022. The petitioner gave a representation/complaint to the effect that she cannot be transferred to the boys hostel. On receipt of the representation, the 5th respondent did not take any steps and therefore, the petitioner filed W.P.No.13555 of 2023 before this Court for a direction to the respondents to consider the representation. This writ petition was disposed of by this Court on 12.06.2023, directing the respondent to consider the representation.

4.Pursuant to the above order, the 4th respondent through proceedings dated 20.12.2023, transferred the petitioner to the Government Girls Hostel at Udumalpet, Tiruppur District.



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5.The grievance of the petitioner is that for a period of 370 days when this process was going on, she was neither paid any salary or wages. Therefore, the petitioner made a representation on 06.02.2024 to the 5th respondent to pay the salary/wages for the period of 370 days. Since the representation did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate direction.

6.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 5th respondent to consider the representation made by the petitioner on 06.02.2024 and take a decision regarding the payment of wages/salary for a period of 370 days on its own merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

7.The petitioner is directed to make a fresh representation to the 5th respondent along with all the relevant documents and also a copy of this order.



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8. This writ petition is disposed of with the above directions. No Costs.

19.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
SSR

To

1. The Principal Secretary to the Government
Adi Dravidar Welfare Hill Tribes and Bonded Labour Welfare Department,
Secretariat, Chennai.
2. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai-05.
3. The District Collector
Collectorate,
Tiruppur-641 604.



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N. ANAND VENKATESH, J.

ssr

4.The District Adi Dravidar Welfare Officer,
The Schedule Caste and Schedule Tribes Welfare Department,
Tiruppur, Tiruppur District.

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