



WEB COPY

W.P.No.2711 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.2711 of 2024

T. Krishnamoorthy

... Petitioner

-Vs-

1. The Secretary to Government
Department of Welfare of differently abled persons
Fort.St.George,
Chennai 600 009.

2. The Commissioner
Welfare of the Differently abled Persons,
26M5+9PH, K.K.Nagar,
Chennai 600 083.

3. The Commissioner,
Backward Class and Most Backward
Class Welfare,
Chepauk, Chennai 600 005.

4. The District Backward class and
minority Welfare Officer,
Trichy District,
Trichy.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents herein to implement the reservation in promotion for the persons with disabilities under the provisions of the Person with Disabilities Act (Equal



Opportunity Protection of Rights and Full Participation) Act, 1995 (1 of 1996) and the Right of Person Disabilities Act, 2016 as per the judgment of the Hon'ble Supreme Court in Civil Appeal No.59 of 2021 dated 28.06.2021 and thereby promote the petitioner to the post of Junior Assistant with effect from the date of eligibility and to accord further promotion with all monetary and service benefits.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.P.Ganesan
Government Advocate for R1 to R3

ORDER

This writ petition is filed for a mandamus directing the respondents to implement the reservation policy in promotion for differently abled persons under the provisions of the person with Disabilities Act (Equal opportunity Protection of Rights and Full Participation) Act, 1995 (1 of 1996) and the Right of person disabilities act, 2016.

2. When the matter came up for hearing today, the learned Government Advocate would place a communication dated 23.01.2024 which was addressed to the petitioner and in which it was stated that for providing 4% reservation in promotion for differently abled persons, a high power committee has been constituted by the Disabled Welfare Department and



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several meetings have been conducted and reports have been sent to the Government in this regard. The Government is considering the aspect.

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3. In view of the matter, the 1st respondent is directed to take a decision in accordance with law within a period of four months from the date of receipt of a copy of this order. Depending on the decision the petitioner can agitate once again if necessary.

4. With the above directions, the writ petition is disposed of. No costs.

03.04.2024

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



To

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D. BHARATHA CHAKRAVARTHY, J.

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