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W.P.(MD) No.7476 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.7476 of 2017
and
W.M.P.(MD) No.5855 of 2017

S.Muneeswari

... Petitioner

-vs-

1.The District Collector
District Collector Office
Ramnad, Ramnad District

2.The Chief Educational Officer
Chief Educational Office
Ramnad, Ramnad District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent to issue appointment order to the petitioner for the post of Lab Assistant within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.T.Amjad Khan
Government Advocate



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ORDER

This writ petition has been filed for a mandamus seeking for a direction to the second respondent to issue appointment order to the petitioner for the post of Lab Assistant, within a time frame to be fixed by this Court.

2. Even though a positive direction is sought for in this writ petition, learned counsel for the petitioner would submit that it would suffice if the representation of the petitioner seeking for appointment to the post of Lab Assistant is considered by the respondents, on merits and in accordance with law and final orders are passed within a time frame to be fixed by this Court.

3. The petitioner claims that she attended the interview on 31.03.2017 seeking selection for the post of Lab Assistant in any one of the Schools situated at Ramnad District. According to the petitioner, she was selected to the said post and her name found a place in the selection list in Serial No.80. It is also claimed that the second respondent called the petitioner to give her option for her work place and that she selected the



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Government High School, Karaiyur, Rameswaram, Ramnad District. It is also claimed that the second respondent called the petitioner for issuance of appointment order. But, despite the same, for the reasons best known to the respondents, till date no appointment order is issued to the petitioner. The petitioner claims that she applied for the subject post under the destitute widow category. According to the petitioner, all other selected candidates were issued with appointment orders, but, she alone was left out for the reasons best known to the respondents. Under those circumstances, the petitioner has filed the present writ petition seeking the relief as stated above.

4. A counter affidavit has been filed by the respondents denying the contentions of the petitioner raised in this writ petition.

5. No prejudice will be caused to the petitioner, if the petitioner is allowed to give a fresh representation to the respondents seeking for the relief as sought for in this writ petition and a direction is issued to the respondents to consider the same 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 petitioner to submit a fresh representation to the respondents seeking for a direction to the second respondent to issue appointment order in her favour to the post of Lab Assistant in any of the Schools situated at Ramnad District, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the respondents shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The District Collector,
District Collector Office,
Ramnad, Ramnad District.
- 2.The Chief Educational Officer,
Chief Educational Office,
Ramnad, Ramnad District.



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ABDUL QUDDHOSE, J.

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