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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Writ Appellate Jurisdiction

Wednesday, the Twenty First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
AND
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD). No.175 of 2024
in
WA(MD).No.2112 of 2023

Vadivel Murugan

... Petitioner/ Appellant

Vs

- 1 The Principal Secretary to Government
Welfare of Differently Abled Persons Department,
Secretariat
Fort.St. George
Chennai-600 009.
- 2 The State Commissioner
Commissioner For Welfare of Differently Abled Persons,
Chennai 600 005.
- 3 The District Collector
Ramanathapuram District,
Ramanathapuram.
- 4 The Tahsildar
Kamuthi Taluk,
Ramanathapuram District.



6 Balapriyadharshini

7 Anish Fathima

8 Ibrahim Khaleel

9 Ayyanar

10 Vasantha

11 Mohankumar

... Respondents/ Respondents

Prayer :-

Civil Miscellaneous petition filed Under Order 41 Rule 19 of C.P.C to set aside the order dated 18.12.2023 passed in WA(MD). No.2112 of 2023 on the file of this Court, which was closed in the Petitioner's absence and restore it to the file for fresh disposal on merits.

PRAYER in WA(MD). No.2112 of 2023 : Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in W.P.(MD).No.5353 of 2023 dated 21.06.2023 by allowing the present Writ Appeal.

Prayer in WP(MD). 5353/ 2023 :

Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notification made by the 4th respondent in Arivikkai No.01/2022 dated 10.10.2022 and the consequent appointment order made in Na.Ka. A3/6610/2022 dated 14.01.2023 and quash the same as illegal and further direct respondents 3 and 4 to undertake the exercise of fresh recruitment process to the impugned vacant posts of Village Assistants in Kamuthi Taluk of Ramanathapuram District by implementing 4 percent reservation to differently abled persons in light of S.27(b) of Tamil Nadu Government Servants (Conditions of Service) Act of 2016.

ORDER:- This Civil Miscellaneous petition is coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.Ramachandran, Advocate for the petitioner, and of Mr.T.Amjadkhan Government Advocate for the Respondents No.1 to 4, Mr.M.Karthikeya Venkitachalapathy, Advocate for the Respondents No.5 to 11, this Court made the following order:



(Order of the Court was made by D.KRISHNAKUMAR, J.)

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This petition is filed to set aside the order, dated 18.12.2023, passed in W.A (MD)No.2112 of 2023 and to restore the appeal to file.

2. The learned counsels appearing for the respondents, have no serious objection for allowing this petition.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the order, dated 18.12.2023, passed in W.A(MD)No.2112 of 2023, is set aside and this petition is allowed. Consequently, W.A(MD)No.2112 of 2023, is restored to file.

Sd/-

Assistant Registrar(CS II)

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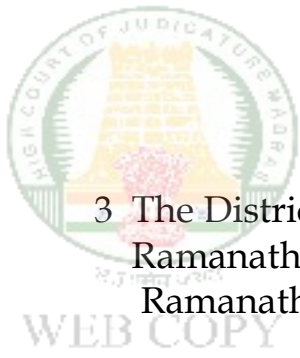
/02/2024

Sub Assistant Registrar
(CS - I/ II / III / IV)

TO

1 The Principal Secretary to Government
Welfare of Differently Abled Persons Department,
Secretariat
Fort.St. George
Chennai-600 009.

2 The State Commissioner
Commissioner For Welfare of Differently Abled Persons,
Chennai 600 005.



3 The District Collector
Ramanathapuram District,
Ramanathapuram.

4 The Tahsildar
Kamuthi Taluk,
Ramanathapuram District.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai
(For posting the Writ Appeal)

ORDER DATED : 21/02/2024

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RESTORATION ORDER
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CMP(MD). No.175 of 2024
in
WA(MD).No.2112 of 2023

Giving direction and etc.
as stated within.

SSA (28.02.2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.