



WEB COPY

WP No. 9503 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WP No. 9503 of 2025

B.Kumar

S/o. V.Balasubramanian,
13/A-5, New Market Street, Ariyalur,
Ariyalur District, Pin -621704.

Petitioner(s)

Vs

1. The State Of Tamil Nadu,
Represented by Principal Secretary To
Government, Department Of Revenue
Administration, Fort St.George,
Chennai-600 009.

2.The Additional Principal Secretary To
Government/ Commissioner Of
Revenue Administration And Disaster
Management, Ezhilagam, Chepauk,
Chennai -600 005.

3.The District Collector,
Ariyalur, Ariyalur District,
Pin -621704.

Respondent(s)

**PRAYER**

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Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 and 2 to pass order according sanction and relaxing conditions on the basis of the recommendations of the third respondent made in his proceedings Na.Ka.No.A3/2457/dated 18.08.2023 read with G.O.Ms.No.20, Differently Abled Persons Welfare Department, dated 24.07.2023 for appointing the petitioner as Office Assistant/Night Watchman on permanent basis in time scale of pay with effect from 07.08.2013 the date of appointment of petitioner as Night Watchman in the office of the third respondent.

For Petitioner(s): Mr.S.Ayyathurai

For Respondent(s): Mrs.P.Vijayadevi
Government Advocate

ORDER

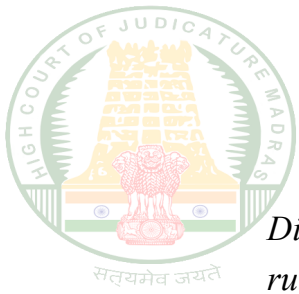
This writ petition has been filed in the nature of mandamus seeking a direction against the first and second respondent to grant sanction and relax the condition on the basis of the recommendation of the third respondent dated 18.08.2023 and appoint the petitioner as Office Assistant/Night Watchman on permanent basis.



2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner is unfortunately a differently abled person, who is both deaf and dumb. However, he had studied and had applied for the post of Night Watchman in the Collectorate of Ariyalur District and was also appointed by order dated 07.08.2013, but, his service were not regularized. In such circumstances, this writ petition has been filed placing reliance on G.O.Ms.No.20, Differently Abled Persons Welfare Department, dated 24.07.2023.

3. A direction was given to the second respondent to file an affidavit regarding the status of the proposal given to the third respondent. Accordingly, an affidavit dated 15.04.2025 has been filed by the second respondent, which reads as follows:

“7) I humbly submit that the 3rd respondent herein, the District Collector, Ariyalur, has sent a proposal, vide letter No.A3/2457/2020, dated 18.08.2023, to me stating that the petitioner has worked as a Night Watchman for 10 years and is a differently abled person with 70% hearing impairment and recommended the individual appointing him as Night Watchman/Office Assistant in the regular time scale of pay by relaxing Rule 3, relating to the method of appointment, and Rule 5, pertaining to age and educational qualifications, of the Tamil Nadu Basic Service Special Rules applicable to the above posts.



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8) *I humbly submit that, in this regard, the report of the District Collector has been examined by our office with relevant rules and regulations as on date, and a detailed proposal has been sent by me to the Government recommending the case of the petitioner vide this office letter No.Ser.4(2)/40926/2021, dated 07.04.2025 and the order of the Government are awaited.”*

4. The steps taken by the second respondent is deeply appreciated by the court. The second respondent had acted in accordance with the guidelines for differently abled persons and had forwarded the proposal to the first respondent.

5. A direction is given to the first respondent to pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition stands disposed of. No costs.

15-04-2025

nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The Principal Secretary To Government,
State Of Tamil Nadu,
Department Of Revenue
Administration,
Fort St. George, Chennai-600 009.

2. The Additional Principal Secretary To
Government/ Commissioner Of
Revenue Administration And Disaster
Management, Ezhilagam, Chepauk,
Chennai -600 005.

3. The District Collector,
Ariyalur, Ariyalur District,
Pin -621704.



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WP No. 9503 of 2



C.V.KARTHIKEYAN J.

nsd

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