



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 1997 of 2022

F.Michael Raj

..Petitioner

Vs

1. The Joint Director,
Employment and Training Department, Guindy,
Chennai.
2. The Correspondent,
Sanit Lawrence Technical Training Centre,
Nagarcoil.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue writ of certiorari, calling for the records pertaining the order of the 1st respondent Na.Ka.No. 23015 / தொப. 2/ 2020 dated 13.08.2021 to quash the same and pass such further or other orders.

For Petitioner: Mr.S.Bharathidasan
for Mr.S.Diwakar

For Respondent: V.Sivalingam
Government Advocate for R1
Mr.I.Arokiasamy for R2

ORDER

This writ petition has been filed challenging the order passed by the 1st respondent in proceedings Na.Ka.No. 23015 / தொப. 2/ 2020 dated 13.08.2021.



2. The Petitioner was initially appointed as a Pastor at St. Lawrence Technical Training Centre, Nagercoil (a recognized minority institution) on 13.11.1989, and was subsequently appointed as a Fitter Trade Instructor on 01.07.1994. The institutional proposal seeking approval of his appointment was rejected by the Respondent vide an order dated 08.01.2002, solely citing a state-wide Government ban on recruitment. Subsequently, while the Petitioner was on authorized medical leave since 01.06.2012, the post of Fitter Trade Instructor was approved by the Government, and regularization was granted to a similarly placed individual, one Mr. F. Stellus with retrospective effect from 05.08.1993.

3. Aggrieved by this, the Petitioner submitted a formal representation dated 28.08.2020 and subsequently approached this Court in W.P. No. 5613 of 2021. This Court vide order dated 08.03.2021 disposed of the said writ petition with a direction to the respondents to consider the Petitioner's representation within a period of sixty (60) days from the date of receipt of a copy of the order. Pursuant to which, the petitioner participated in the personal enquiry and submitted all relevant verifying documents. However, the 1st Respondent passed the impugned order dated 13.08.2021, arbitrarily rejecting the petitioner's claim for approval of appointment. Aggrieved by the same, the Petitioner has preferred the present Writ Petition.



4. The learned counsel for the petitioner would submit that the petitioner was appointed as a Fitter Trade Instructor on 04.12.2001. However, due to administrative grounds qua ban on recruitment was in force, the said appointment was subsequently cancelled. In the interregnum, the petitioner continuously served the 2nd respondent institution in the same capacity for nearly 23 years. Despite this extended tenure, his appointment was never regularised or approved by the respondents.

5. Per contra, the learned Government Advocate appearing for the 1st respondent would submit that though the petitioner's appointment was cancelled on account of ban in recruitment, the petitioner did not challenge the said proceedings and furthermore there was unauthorised absence since 2010. Subsequently, the petitioner was appointed as management staff in 2012. After that, he sought for leave for further higher education leave, which was rejected. Thereafter, he was on unauthorised leave since 2012. Therefore, his claim for approval is hit by latches.

6. I have given my anxious consideration to the submissions made on either side and have perused the material on record.

7. It is an admitted fact that the appointment order issued to the petitioner in the year 2001 was subsequently cancelled, which factum was not



disputed by the learned counsel for the petitioner. However, it is the contention of the petitioner that he has been continuously rendering service since 2011 and on that basis, he seeks a direction for the approval of his appointment. However, from the submissions of the learned Government Advocate, it appears that the petitioner was unauthorisedly absent from 14.08.2010 to 31.03.2011, resulting in the removal of his name from the attendance register. Subsequently, on 01.04.2011, the petitioner participated in an enquiry and was re-appointed on the very same day on a consolidated pay basis. The learned Government Advocate further pointed out that for the period from June 2012 to May 2014, the petitioner applied for leave which was explicitly rejected by the authorities. Consequently, the petitioner failed to report for duty and remained unauthorisedly absent during the said period.

8. In view of the above factual position, it is amply clear that the petitioner has not worked continuously as a Fitter Trade Instructor in the 2nd respondent institution. Therefore, his prayer seeking approval of appointment that too after a lapse of eight years from the inception of his unauthorized absence cannot be granted. Apart from the lack of merit, the present writ petition is heavily hit by the doctrine of laches.



Accordingly, this Writ Petition stands dismissed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VEDA

To

1. The Joint Director,
Employment and Training Department, Guindy, Chennai.
2. The Correspondent,
Sanit Lawrence Technical Training Centre,
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C.KUMARAPPAN, J.

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