

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.10627 of 2015

M.Azhagesan

...Petitioner

- Vs -

1. The Director General of Employment & Training
Ministry of Labour
Sharam Shakthi Bhavan
Rafi Marg
New Delhi-110 001.
2. The Commissioner of Employment & Training,
Guindy,
Chennai-32
3. The Regional Joint Director of
Employment & Training
Coimbatore
4. The Principal
SAI Industrial Training Institute
Mallappadi
Bargur Post
Krishnagiri Taluk-635 104
Krishnagiri District

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents 1 to 3 to issue National Trade Certificate to the petitioner in the Mechanic (Motor Vehicle) Trade bearing Roll No.9131709 for the year 1997-1999.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.T.L.Thirumalaisamy (R1) CGSC
Mrs.P.Rajalakshmi (R2 & R3)
Government Advocate

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents 1 to 3 to issue National Trade Certificate to the petitioner in the Mechanic (Motor Vehicle) Trade bearing Roll No.9131709 for the year 1997-1999.

2. Heard both sides.

3. The petitioner joined the fourth respondent which is a private ITI in the Mechanic (Motor vehicle) for the year 1997-1999. The petitioner wrote All India Trade Examinations in the month of July 1999. But, he could not become successful and therefore he appeared in the supplementary examinations held in February 2001. Though the petitioner was issued by provisional certificates, the regular National Trade certificate has not been issued. Therefore, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

4. When the matter is taken up, counter affidavit has been filed by the first respondent wherein it is stated as follows:

"I submit that as already stated in the above paras 7 & 8, the eligible candidate could only be issued NTC on receiving the relevant information either on CD or manually filled blank certificate from State Directorate. I submit that in the present case of the petitioner, none of the above mode of submitting the information was followed by State Directorate of Tamilnadu, the 2nd respondent herein. Hence the NTC was not issued to the petitioner herein. I submit that as soon as the said information was received from State Directorate, it will be issued immediately. I submit that there is no pendency at this Directorate General of Training (DGT) and all certificates whose information was received from State Directorate have been printed and dispatched to respective State Directorate. It is further submitted that the State Directorate, the 2nd respondent herein is responsible for providing the information of passed out trainees to this Directorate General of Printing of the Certificate."

5. Thus, as per the above, the second respondent has to send the necessary certificates to the first respondent for the counter signature.

6. In view of the same, the second respondent is directed to send the necessary certificates pertaining to the signature to the first respondent within a period of four weeks from today and the first respondent is directed to take further action and issue the certificate within a further period of four weeks thereafter.

With the above directions, this Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Director General of Employment & Training
Ministry of Labour
Sharam Shakthi Bhavan
Rafi Marg
New Delhi-110 001.

2. The Commissioner of Employment & Training,
Guindy,
Chennai-32

3. The Regional Joint Director of
Employment & Training
Coimbatore

+1 cc to M/s.S.Kamadevan, Advocate, sr.44925 (14/10/2015)

+1 cc to M/s.T.L.Thirumalaisamy, Advocate, sr.44933 (14/10/2015)

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W.P.No.10627 of 2015

MP (CO)

PSI (15.09.2015)