

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.21122 of 2014

and

M.P.No.1 of 2014

C.Wilbert

... Petitioner

vs.

1.The Management of Indian Institute of
Technology rep. By its Director,
Chennai - 36.

2.The Assistant Registrar (IC & SR),
Indian Institute of Technology,
Chennai - 36.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
for the issuance of a writ of mandamus directing the respondents to
consider the petitioner's representation dated 09.06.2014 after giving
an opportunity of hearing to the petitioner and further direct them to
pass suitable orders in accordance with law.

For Petitioner : Mr.C.Umashankar

For Respondents : Mr.Karthik Raja
for
M/s.Menon, Karthik & Mukundan
Associates

WEB COPY
ORDER

The petitioner seeks a writ of mandamus directing the first
respondent to consider and dispose of the representation submitted for
the purpose of absorbing him in the service of Indian Institute of
Technology.

2.The petitioner earlier raised an industrial dispute in I.D.No.93 of 1997 in connection with his employment in Indian Institute of Technology. The matter went up to the Supreme Court. The Supreme Court, while disposing of SLP (Civil) No.26226 of 2008 on 02.12.2010 made an observation that the management will try and accommodate the petitioner in any other projects that may be at hand at that time. It is the case of the petitioner that he continued to work in Indian Institute of Technology. The petitioner made a representation on 09.06.2014 requesting the first respondent to absorb him in service. The present request is to consider and dispose of the representation on merits.

3.Heard the learned counsel of the petitioner and the learned counsel for the Indian Institute of Technology.

4.The first respondent is directed to consider and dispose of the representation submitted by the petitioner dated 09.06.2014, on merits and taking into account the spirit of the order passed by the Supreme Court dated 02.12.2010 in SLP (Civil) No.26226 of 2008. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

Mmi

To

1.The Director,
Management of Indian Institute of
Technology, Chennai - 36.

2.The Assistant Registrar (IC & SR),
Indian Institute of Technology,
Chennai - 36.

C.C. to M/s.Menon, Karthik & Mukundan, & Neelakandtan Advocate,
SR.No.6477

C.C. to Mr.A.P.Janarthanan, Advocate, SR.No.6244

W.P. No.21122 of 2014

MP (CO)

KP (24.02.2015)