

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18220 of 2015

T.Kumar

...Petitioner

-Vs-

- 1.The Director General of
Employment & Training,
Ministry of Labour,
Sharam Shakti Bhavan,
Rafi Marg,
New Delhi-110001.
- 2.The Commissioner of Employment and Training,
Guindy,
Chennai-600 032.
- 3.Annai Fathima Private Industrial
Training Institute,
Rep. By its Correspondent,
Palani Road,
Kodinjivadi (PO)
Dharapuram - 638 673.
Tirupur District, Tamil Nadu.
- 4.Annai Fathima Private Industrial
Training Institute,
Rep. By its Principal,
Palani Road,
Kodinjivadi (PO)
Dharapuram - 638 673. Tirupur District,
- 5.The Managing Director,
Tamil Nadu State Transport Corporation,
Chennimalai Road,
Erode District,
Tamil Nadu.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the fifth respondent to consider my representation dated 09.04.2015 within a reasonable period.

For Petitioner : Mr.D.Lourthu Paul Eelson

For Respondents: Mr.S.Meenakshi,

Central Government Standing Counsel for R1

Mrs.P.Rajalakshmi,

Government Advocate for R2

Mr.P.Kannankumar for R5

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner would state that after completing X standard in the month of April 1994, the petitioner studied Fitter Course in the 3rd and 4th respondent institution between August 1995 to July 1997 and passed the examination and obtained total mark of 525 out of 700 and thereafter, issued with Provisional National Trade Certificate by the Office of the Director of Employment and Training, Chepauk, Chennai-600 005 in Certificate H.No.06571. The petitioner would further state that based on the provisional certificate, he joined the Apprenticeship in ELGI Electric and Industries Limited, Unit-1, Motor Division, Pollachi from 10.02.1998 to 09.02.1999 and also passed the prescribed test conducted by the National Council for vocational training held during May 1999 and successfully completed the apprenticeship. The petitioner was also issued with Provisional Apprenticeship Certificate by the Government of Tamil Nadu, Department of Employment and Training in Certificate No.069025 and based on the same, National Apprenticeship Certificate was issued to the petitioner in Certificate No.159538. The petitioner also registered his name in the District Employment Office at Tiruppur bearing Reg.No.TPD1994M10006504 dated 06.11.1997. The grievance expressed by the petitioner is that though the second respondent has mandated to issue the National Training Certificate, it has not issued the same and consequently, he is unable to get the job though he was selected by the fifth respondent and hence, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the order dated 04.02.2015 made in W.P.No.11103 of 2014 and would submit that in similar facts and circumstances, this Court, following the earlier orders of this Court, has directed the concerned respondents to issue National Trade Certificate to the petitioner for the relevant trade within a stipulated time.

4. Heard the submissions of Mr.S.Meenakumari, learned Central Government Standing Counsel appearing for the first respondent, Mrs.P.Rajalakshmi, learned Government Advocate appearing for the second respondent and Mr.P.Kannankumar, learned counsel appearing for the fifth respondent and also perused the counter affidavit of the fourth respondent wherein it has been stated that in similar facts

and circumstances in W.A.No.801 of 2006, this Court directed the first respondent to issue the National Trade Certificate to the petitioner therein.

5. In the light of the above facts and circumstances, this Court directs the respondents 1 and 2 to issue National Trade Certificate to the petitioner for the relevant trade within a period of four weeks from the date of receipt of a copy of this order, if the papers are otherwise in order and the petitioner, on receipt of the same, is at liberty to approach the respondents 4 and 5 for appropriate relief.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm
To

- 1.The Director General of Employment & Training,
Ministry of Labour,
Sharam Shakti Bhavan,
Rafi Marg, New Delhi-110001.
- 2.The Commissioner of Employment and Training,
Guindy, Chennai-600 032.
- 3.The Correspondent,
Annai Fathima Private Industrial Training Institute,
Palani Road,
Kodinjivadi (PO), Dharapuram - 638 673.
Tirupur District, Tamil Nadu.
- 4.The Principal,
Annai Fathima Private Industrial Training Institute,
Palani Road, Kodinjivadi (PO)
Dharapuram - 638 673. Tirupur District,
- 5.The Managing Director,
Tamil Nadu State Transport Corporation,
Chennimalai Road,
Erode District, Tamil Nadu.

+1cc to M/s. P. Sam Japa Singh, Advocate, S.R.No.35780
+1cc to the Government Pleader, S.R.No.35862

RSG(CO)
EU(29/07/2015)

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