

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19313 of 2015

N.Jayaseelan

... Petitioner

Vs.

1.The Government of Tamilnadu,
Represented by its Secretary to Government,
Tourism and Cultural Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Art and Culture,
Tamil Valarchi Valagam,
Egmore, Chennai - 600 008.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents herein to regularise the petitioner's services in the post of Associate Lecturer from the date of his initial appointment which is from 29.10.1990 and as a Lecturer since 24.11.2000 with all consequential monetary and other benefits.

For Petitioner : Mr.K.Elango

For Respondents : Mr.K.V.Dhanapalan
Addl.Govt.Pleader

O R D E R

The petitioner was initially appointed to the post of Associate Lecturer through Employment Exchange and subsequently, the post was downgraded and he was appointed as Instructor in the Government College of Architecture and Sculpture. He has been in employment from 29.10.1990.

2. According to the petitioner, his services were regularised along with six other instructors from 04.01.1999 by the proceedings of the second respondent in Na.Ka.No.4374/A1/98. While so, few persons filed Original Applications in O.A.Nos.9059, 9060 and 9186 of 1998 before the Tamil Nadu Administrative Tribunal, seeking regularisation of their appointments from the date of their initial appointment instead of 04.01.1999. Those applications were allowed by the Tribunal vide order dated 02.07.2002.

3. Challenging the order of the Tribunal dated 02.07.2002, the Government of Tamilnadu filed writ petitions in W.P.Nos.6544 to

6546 of 2003 and the same were dismissed by the Division Bench of this Court on 28.02.2003.

4. According to the petitioner, the services of those persons were regularised from the date of appointment. The petitioner is also similarly situated like those persons. Hence, he made a representation dated 28.05.2015 to the respondents to regularise his services, as done in the case of others. Since no order is passed, he is before this Court.

5. The learned counsel for the petitioner would submit that the petitioner would be satisfied if a direction is issued to the first respondent to pass orders on the representation of the petitioner dated 28.05.2015.

6. In view of the submission made by the learned counsel for the petitioner, the writ petition is disposed of by directing the second respondent to consider the representation of the petitioner dated 28.05.2015 in the light of the facts set out above and pass appropriate orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Secretary to Government,
The Government of Tamilnadu,
Tourism and Cultural Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Art and Culture,
Tamil Valarchi Valagam,
Egmore, Chennai - 600 008.

1 cc to Mr.K.Elango , Advocate Sr.No.32830

1 cc to Government Pleader.Sr.No.33361

W.P.No.19313 of 2015

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pmk.15.7.2015