

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.22652 of 2015
and
M.P.No.1 of 2015

St. Josephs Industrial Training Institute
Rep. By its Correspondent
Beach Road
Cuddalore 607 001

... Petitioner

vs

1. The State of Tamil Nadu
Rep. By its Secretary
Labour & Employment Department
Fort St. George, Chennai 9
2. The Director
Directorate General of Employment
& Training (DGE & T)
Ministry of Labour and Employment
Shram Shakti Bhawan
Rafi Marg, New Delhi 110 001
3. The Commissioner
Commissioner of Employment &
Training
Guindy, Chennai 32.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to process the petitioner's application seeking de-affiliation of welder unit dated 4.4.2013, and de-affiliate the welder unit of the petitioner institute.

For Petitioner : Mr.D.Ravichander

For Respondents : Mr.S.Pattabiraman
Government Advocate
for RR1 and 3

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The Correspondent of the petitioner-Institute has filed the affidavit and would state that the petitioner-Institute is an affiliated institute to National Council for Vocational Training and submitted an application dated 5.4.2013, praying for voluntary closure of Welder Trade (2 + 2) Units/de-affiliation stating that on account of poor admission in the trades, it cannot carry on the said trade. He would further state that the Regional Joint Director of Training, Trichy has also inspected the institute and submitted a report recommending for de-affiliation of the four units of welder trade and necessary communication was also addressed to the second respondent and since no orders have been passed, it came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.S.Pattabiraman, learned Government Advocate, who accepted notice on behalf of the respondents 1 and 3.

4.A perusal of the typed-set of documents would disclose that a positive recommendation has been made to the second respondent for de-affiliation of the Welder Trade (2 + 2) Units and the second respondent in it's communication dated 10.3.2015, addressed to the third respondent, has also informed that the matter is under consideration.

5.Therefore, this Court, in the light of the above facts and circumstances, directs the second respondent to take a decision in terms of it's communication dated 10.3.2015, in No.DGET-6/19/1989-TC, within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. It is also open to the petitioner to submit a representation to the second respondent praying for absorption of the Faculty of the Welder Trade, who are under the services of the petitioner, and the second respondent on receipt of the same, is directed to consider it at an early date and pass appropriate orders. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The Secretary to Government
Labour & Employment Department
Fort St. George, Chennai 9
2. The Director
Directorate General of Employment
& Training (DGE & T)
Ministry of Labour and Employment
Shram Shakti Bhawan
Rafi Marg, New Delhi 110 001
3. The Commissioner
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Training
Guindy, Chennai 32.

+1cc to Mr.D.Ravichander, Advocate, S.R.No.38266
+1cc to the Government Pleader, S.R.No.38409

W.P.No.22652 of 2015

TS (CO)
CA(14/08/2015)



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