

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-08-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.24212 OF 2015

B.Revathy

...

Petitioner

-vs-

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

2.The Director,
Department of Employment and Training,
Guindy,
Chennai-600 032.

3.The Regional Joint Director of Training,
Chennai Region,
Guindy,
Chennai-600 032.

4.The Principal,
Government Industrial Training Institute (Women),
Ambattur,
Chennai-600 053.

Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus, directing the first respondent to issue National Trade Certificate to the petitioner in Data Preparation & Computer Software trade bearing Roll No.5023510.

For petitioner : Mr.P.Venkateshan

For respondent 1 : Mr.Su.Srinivasan,
Asst.Solicitor General of India.

For respondents 2 to 4 : Mr.S.V.Durai Solaimalai,
Addl.Govt.Pleader.

O R D E R

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

2. The petitioner would submit, that, she after finishing X Standard, joined in the fourth respondent institution and underwent the Data Preparation & Computer Software Trade during the

academic year 1997-1998. She has also written All India Trade Examination in the year 1999, conducted by the second respondent; she was declared passed and, thereafter, issued with Provisional Certificate on 07.07.1999.

3. The petitioner would further submit that as per the prevailing guidelines relating to issuance of National Trade Certificate, the trainees would be entitled to get provisional certificate, soon after the announcement of results; and such certificates should be in the format as mentioned in Appendix "X" in respect of regular candidates and Appendix "X-A" in respect of private candidates. Thereafter, they are entitled to have regular National Trade Certificates, which are in the format in Appendix "XI" and "XI-A" of the Training Manual.

4. The grievance of the petitioner is that though she has passed the relevant examination, she is yet to be issued with National Trade Certificate, and that she cannot be made to suffer on the ground of technicality of not passing the examination. In this regard, she has made very many oral reminders to the respondents and since no orders have been passed, she has come forward to file this Writ Petition.

5. Learned counsel for the petitioner would submit that in similar facts and circumstances, this Court, in W.P.No.30508 of 2013, vide order, dated 24.04.2015, considered the case of the petitioner therein and passed orders, and, accordingly, prays for similar orders.

6. Heard the submissions of Mr.P.Venkateshan, learned counsel for the petitioner; and Mr.Su.Srinivasan, learned Assistant Solicitor General of India, who accepted notice for first respondent, and Mr.S.V.Durai Solaimalai, learned Additional Government Pleader, for respondents 2 to 4.

7. Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances, permits the petitioner to submit a written representation to the first respondent, requesting for issuance of National Trade Certificate, in respect of the particular trade, within a period of two weeks from the date of receipt of a copy of this order, and the first respondent, after receipt of such a representation, shall consider the same and pass orders on merits and in accordance with law within a period of four weeks thereafter, and communicate the decision taken, to the petitioner.

8. Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

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

2.The Director,
Department of Employment and Training,
Guindy,
Chennai-600 032.

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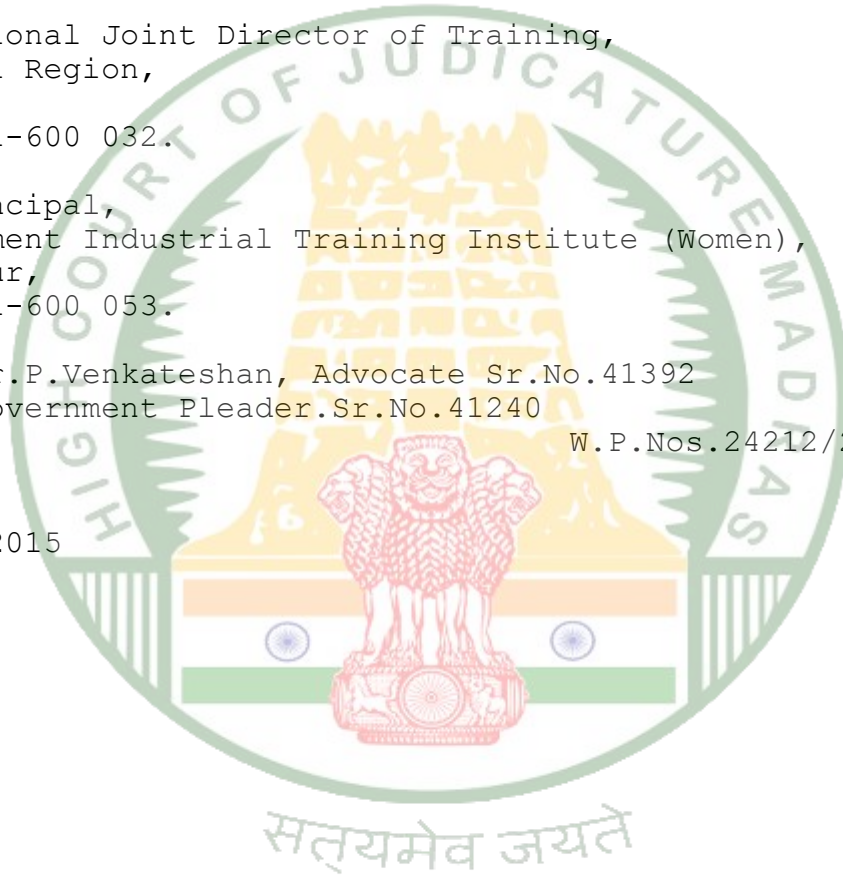
4.The Principal,
Government Industrial Training Institute (Women),
Ambattur,
Chennai-600 053.

1 cc to Mr.P.Venkateshan, Advocate Sr.No.41392

1 cc to Government Pleader.Sr.No.41240

W.P.Nos.24212/2015

ala(co)
pmk.25.8.2015



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