

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25700 of 2015

And

M.P.No.1 of 2015

TamilNadu University College SC/ST Teachers
Association
Rep. by its Unit President
Dr.S.Gunasekaran
Government Arts College (Autonomous),
Salem-07.

... Petitioner

Vs.

1. Secretary to Government
Ministry of Sports and Youth Welfare,
Room No.401, C-Wing, Shastri Bhavan,
New Delhi-110 001.
2. The Director Collegiate Education,
DPI Compound,
College Road, Chennai-600 006.
3. Government Arts College (Autonomous),
Rep. by its Principal, Salem-7
4. The NSS Co Ordinater,
Periyar University, Salem-11.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider and pass orders on the petitioner's representation dated 23.07.2015 and appoint a member of petitioner association as NSS Programme officer.

For Petitioner : M/s.Row and Reddy

For Respondents : Mr.Su.Srinivasan (R1)
ASG
Mr.V.Subbiah (R2 and R3)
Special Government Pleader
Mr.Issac Mohanlal (R4)

O R D E R

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

2.The Petitioner-Association is a registered Association registered under the provisions of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975). The deponent of the affidavit is the President of the said Association. The third respondent College has set up the National Service Scheme (N.S.S.) units. There are four NSS Units consisting of 400 students and each Unit is having a Programme officer and the tenure of the Programme Officer is for a period of three years.

3. The petitioner further submitted that the duties of the Programme Officer are to motivate youth to understand the values and philosophy of NSS, to help students to plan, implement and evaluate the activities of NSS under his charge and give proper guidance and directions to the student-volunteers. According to him, in the third respondent-College, the Assistant Professor with more experience will be selected as Programme officer. It is the claim of the petitioner that no Schedule Caste or Schedule Tribe Assistant Professor was selected as Programme officer and any Committee involved shall constitute a S.C./S.T. Officer and since it has not been followed, the Petitioner-Association submitted a representation dated 23.07.2015 to the respondents to follow the reservation policy while selecting the Programme Officers and since no response is forthcoming, the petitioner-Association came forward with the present Writ Petition.

4. Heard the submissions of learned counsel appearing for the petitioner, Mr.Su.Srinivasan, learned Assistant Solicitor General, who accepts notice on behalf of the first respondent, Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents 2 and 3 and Mr.Issac Mohanlal who accepts notice on behalf of the fourth respondent.

5. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the third respondent-College to consider and dispose of the petitioner's representation dated 23.07.2015, on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

arr

To

1. Secretary to Government
Ministry of Sports and Youth Welfare,
Room No.401, C-Wing, Shastri Bhavan,
New Delhi-110 001.
2. The Director Collegiate Education,
DPI Compound, College Road,
Chennai-600 006.
3. The Principal,
Government Arts College (Autonomous),
Salem-7
4. The NSS Co Ordinator,
Periyar University, Salem-11.

+1cc to Mr.Isaac Mohanlal, Advocate, S.R.No.44033
+1cc to M/s.Row & Reddy, Advocate, S.R.No.44152
+1cc to the Government Pleader, S.R.No.44200

W.P.No.25700 of 2015

KM(CO)
CA(04/09/2015)