

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28217 of 2015

and

M.P.No.1 of 2015

D.D.Geetha

.. Petitioner

vs

1.The Director/Commissioner of Sugars
675, Periyar Buildings
Anna Salai, Nandanam
Chennai

2.The Managing Director/Chairman
The Dharmapuri District Cooperative
Sugar Mills
Polytechnic College, Palacode
Dharmapuri District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to reinstate the petitioner, who is removed orally from the post of Workshop Instructor by the second respondent with effect from 2.6.2014, in any other alternate post and regularize her service from the date of her initial appointment with all the arrears of salary and attendant benefits.

For Petitioner : Mr.V.Jeevagiridharan

For Respondents : Mr.R.Bala Ramesh
Additional Government Pleader

ORDER

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

2.The petitioner would state that she studied Diploma in Computer Engineering and also B.E. in Electrical and Communication Engineering, and was appointed as a Workshop Instructor in the services of the second respondent-College on 2.6.2008, and she continued to work in that capacity, for nearly 10 years and all of a sudden, was orally terminated from service, without any notice and in this regard, has submitted a representation dated 3.2.2015, praying for employment in accordance with her qualification.

3.The learned Counsel appearing for the petitioner, would submit that the petitioner has been orally terminated from service without any notice whatsoever, and it would suffice to direct the

second respondent to consider and dispose of her representation in accordance with law, as expeditiously as possible.

4.Per contra, Mr.R.Bala Ramesh, learned Additional Government Pleader, who accepts notice on behalf of the respondents, would submit that the second respondent has sent a communication dated 7.5.2015, stating that the appointment of the petitioner was only on ad hoc/temporary basis, and since there is no enough response from the students, who are getting admitted in the second respondent-Institution, it was felt that there was no requirement of keeping the petitioner in service and accordingly, her services were terminated and it is not a stigmatic termination and hence, prays for dismissal of the writ petition.

5.This Court has carefully considered the rival submissions and also perused the materials placed before it.

6.Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider the petitioner's representation dated 3.2.2015, in accordance with law and pass orders thereon 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. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To:

1.The Director/Commissioner of Sugars
675, Periyar Buildings
Anna Salai, Nandanam
Chennai.

2.The Managing Director/Chairman
Dharmapuri District Cooperative Sugar Mills
Polytechnic College, Palacode
Dharmapuri District.

1 cc to Mr.V.Jeevagiridharan , Advocate Sr.No.48734
1 cc to Mr. R.Bala Ramesh, Advocate Sr.No.48819
1 cc to Government Pleader.Sr.No.48999

nsv

W.P.No.28217 of 2015

lrs(co)