

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28296/2015 & MP.No.1/2015

P.S.Nagendira Kumar

... Petitioner

Versus

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

2.The Managing Director/Chairman
The Dharmapuri District Co-op Sugar Mills
Polytechnic College, Palacode,
Dharmapuri District. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents to reinstate the petitioner who is removed orally from the post of Junior Assistant by the 2nd respondent on 20.07.2015 and regularise his service from the date of his initial appointment with all the arrears of salary and attendant benefits.

For Petitioner : Mr.V.Jeevagiridharan
For R1 : Mr.D.Venkatachalam, GA
For R2 : Mr.R.Balaramesh, AGP

O R D E R

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

2.The petitioner claims that he is a B.B.A., Graduate and on 22.12.2008, he got the appointment in the Dharmapuri District Cooperative Sugar Mills Polytechnic College, Palacode, Dharmapuri District as Junior Assistant on a consolidated pay of Rs.3000/- per month and he was selected and appointed to the said post based on his performance in a Walk-in-interview.

3.The petitioner would state that the 2nd respondent/College is under the control of the 1st respondent and though it has got approval from the All India Council for Technical Education [AICTE], so far no separate rules for teaching and non-teaching staffs have been framed and the respondents selectively apply the by-laws depending upon their whims and fancies. The grievance now expressed by the petitioner is that he was orally removed from services with effect from 20.07.2015 in spite of the fact that he

had put in hard and sincere service for a period of 7 years. The petitioner in this regard has submitted a representation dated 12.08.2015 praying for his reinstatement and also regularization of his services, to the 2nd respondent and since no orders have been passed, he came forward to file this writ petition.

3.Heard the submissions of the learned counsel for the petitioner ; Mr.D.Venkatachalam, learned Government Advocate who accepts notice on behalf of the 1st respondent ; and Mr.R.Balaramesh, learned Additional Government Pleader who accepts notice on behalf of the 2nd respondent.

4.Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioner's representation, directs the 2nd respondent to consider and dispose of the representation of the petitioner dated 12.08.2015 on merits and in accordance with law and pass orders within a period of six weeks thereafter and communicate the decision taken, to the petitioner herein.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To

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

2.The Managing Director/Chairman
The Dharmapuri District Co-op Sugar Mills
Polytechnic College, Palacode,
Dharmapuri District.

+1cc to Mr.V. Jeevagiridharan, Advocate, S.R.No.49097

+1cc to Mr.B. R. Balaramesh, Advocate, S.R.No.49151

+1cc to the Government Pleader, S.R.No.49239

SK(CO)
EU(15/10/2015)

W.P.No.28296/2015