

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32017/2015

Hirudayaraj

...Petitioner

Versus

1. The State of Tamil Nadu,
Rep. by Secretary to Government,
School Education Department,
Fort St.George, Chennai.
2. The Director of Teacher Education Research and Training,
DPI Campus, College Road,
Chennai.
3. District Institute of Education and Training Institute,
Thirumurthy Nagar, Udumalpet,
Tirupur District.
4. St.Mary's Teacher Training Institute,
Rep. by its Principal and Correspondent,
Karumathampatty,
Coimbatore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondent 2 to 4 to dispose of the representation dated 17.08.2015 in accordance with law.

For Petitioner : Mr.Venkataswamy Babu

For Respondents : Mr.S.Gunasekaran [R1 to R3]
Government Advocate

ORDER

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

2 The petitioner claims that he is having qualification of M.A. [Economics] ; M.Phil and M.Lis and was appointed as Librarian on 16.06.1997 on consolidated pay basis at St.Marys Teacher Training Institute, Karumathampatty, Coimbatore, which is an aided institution affiliated to the 2nd respondent. The petitioner would further state that one Thiru Isidore who was working as Junior Assistant in the 4th respondent/Institute, retired from service on 31.03.2003 on attaining the age of superannuation and it is an approved post and the petitioner was accommodated as Junior Assistant on regular basis from 01.04.2003 and however, the appointment was not yet approved on the ground of ban on appointment ; subsequently the ban was lifted and the petitioner was appointed as Junior Assistant with effect from 01.01.2006. It was also approved from 01.06.2007 and the petitioner is drawing regular time scale of pay from that date and however, the 3rd respondent, vide order dated 04.01.2011 has cancelled the order of approval of the appointment of the petitioner. The petitioner has also submitted a representation in this regard. However, the 3rd respondent has issued fresh appointment order to the petitioner once again appointing him with consolidated pay and in this regard, the petitioner filed WP.No.13922/2015 praying for approval of his appointment and the same is pending. In the interregnum, the 4th respondent has submitted a proposal for closing down the institution and the petitioner filed WP.No.14958/2015 praying for appropriate orders, restraining the 4th respondent from closing down his institute and it is also pending. The petitioner has also submitted a representation dated 17.08.2015 to the 2nd respondent stating that the Institution is likely to be closed and that he may be accommodated in any other institution 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 and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1 to 3.

4 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 17.08.2015 in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

5 The writ petition is disposed of accordingly.
No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St.George, Chennai.
2. The Director of Teacher Education Research and Training,
DPI Campus, College Road,
Chennai.
3. District Institute of Education and Training Institute,
Thirumurthy Nagar, Udumalpet,
Tirupur District.

1 CC to Mr.Venkataswamy Babu, Advocate SR.No. 54859

1 CC to the Government Pleader, SR.No. 55131

सत्यमेव जयते

W.P.No.32017/2015

SAI (CO)

PSI (20.10.2015)

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