



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.18292 of 2014

S.Muruganandam

...Petitioner

Vs.

1.The District Collector cum  
Director Saraswathi Mahal Library,  
Thanjavur.

2.The Executive Officer,  
Saraswathi Mahal Library,  
Thanjavur

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to reinstate the petitioner in the post of Printer in Saraswathi Mahal Library, Thanjavur with continuity of service based on petitioner's representation dated 19.09.2014.

For Petitioner : Mr.C.Achuthan  
For Respondents : Mr.V.Muruganandam,  
Additional Government Pleader.

#### ORDER

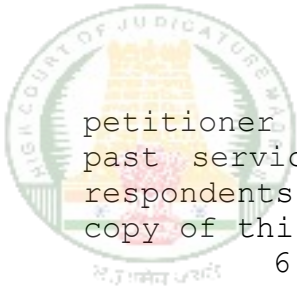
The petitioner seeks for a Mandamus directing the respondents to reinstate him in the post of Printer in Saraswathi Mahal Library, Thanjavur with continuity of service based on his representation dated 19.09.2014.

2.According to the petitioner, he was engaged as a Printer in the second respondent Library and was doing the said work continuously from the year 2001.

3.The grievance of the petitioner is that even though he was doing such work continuously, he was called upon not to attend the work from 28.03.2014 without any order of termination. Therefore, he made the said representation seeking for reinstatement in service.

4.In the counter affidavit, the first respondent stated that the petitioner was outsourced to do the printing work on contract basis and therefore, his service was not required when there was no printing operation.

5.Though the petitioner has specifically stated that he was recruited on 20.04.2001 at the second respondent Library as a Printer such fact is not disputed by the respondents in the counter affidavit and on the other hand, it is only stated that it was not on regular basis but on contract basis. Whatever the case may be, it is seen that the petitioner was working for more than 10 years and therefore, without giving him any opportunity of hearing sending him out of employment cannot be considered as a proper course of action. It is not in dispute that the printing works are in operation. If that being the position, the petitioner seeking for reinstatement can be considered based on the representation given by the petitioner. Therefore, this Court directs the respondents to consider the representation of the



petitioner dated 19.09.2014 and pass orders on the same by considering past services of the petitioner. Such exercise shall be done by the respondents within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The District Collector cum  
Director Saraswathi Mahal Library,  
Thanjavur.

2. The Executive Officer,  
Saraswathi Mahal Library,  
Thanjavur.

+1CC to M/s.V.Achuthan, Advocate in SR.5816  
+1CC to the Special Government Pleader in SR.6019

Writ Petition (MD) No.18292 of 2014  
09.02.2015

sms

PBK 19/02/2015 ::P2-5C: