

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.9.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.A.No.207 of 2014
and
M.P.No.1 of 2016

1. The Secretary to Government,
Education Department,
St. Fort George, Chennai.
2. The Director of General Library,
Library Office, Chennai-2.
3. The District Library Officer,
(Library Committee)
Infantry Road, Post Box No.123,
Vellore, Vellore District. Appellants

Versus

D.Subramani Respondent

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 28.3.2013 passed in W.P.No.12007 of 2008 on the file of this court.

Writ Petition filed Under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondents to consider petitioner qualification and experience for the post of Village Librarian and appoint petitioner for the said post within a time frame to be fixed by this Honourable court and meanwhile not to fill up the vacancy for the post of Village Librarian in respect of petitioner place of work (i.e.) Kaavanur Vellore district.

For appellants : Mr.K.Venkataramani,
Additional Advocate General
assisted by
Mr.R.Prathapkumar, AGP

For Respondent : Mr.T.Sellapandian
for S.Mani

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

This appeal is filed by the State as against the order passed by the learned Single Judge, in directing the appellants to grant regular absorption to the petitioner in his service.

2. It appears that the writ petitioner had a working experience of five years of service and the only impediment for the appellants in granting the regular absorption is that he was not sponsored by the Employment Exchange. The learned Single Judge allowed the case of the petitioner, taking sympathetic view of the matter and also considering the relaxation from initial sponsorship from Employment Exchange, granted by the Government for the similarly placed persons and G.O.Ms.No.247, School Education Department, dated 3.10.2012 which grants such relaxation. Being aggrieved, this appeal is filed.

3. In the meanwhile, the Government has also passed a Government Order clarifying the position. It is also relevant to note that the writ appeal filed in W.A.No.1363 of 2014, as against the very same order, which is in challenge in this writ appeal, in respect of the other writ petitioner viz., G.Loganathan, was already dismissed by a Division Bench of this court on 10.11.2014. Therefore, the non-sponsoring of the writ petitioner by the employment exchange does not come in the way of the petitioner in get the absorption, despite the experience of five years. In the circumstances, the writ appeal stands disposed of, confirming the order passed by the learned Single Judge. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Education Department,
St. Fort George, Chennai.

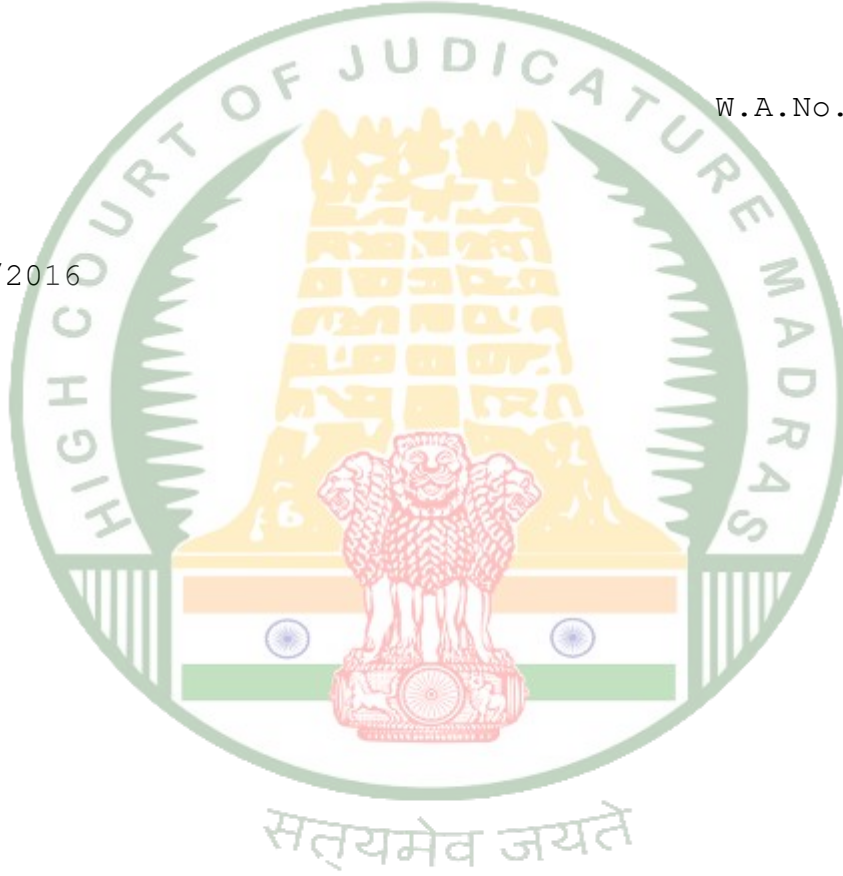
2. The Director of General Library,
Library Office, Chennai-2.

3. The District Library Officer,
(Library Committee)
Infantry Road, Post Box No.123,
Vellore, Vellore District.

+lcc to the Government Pleader Sr.52384
+lcc to Mr.S.Mani, Advocate Sr.52279

W.A.No.207 of 2014

gj[col]
srg 24/10/2016



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