

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

W.P.No.32081 of 2016

Government College Lab Assistant Association
rep. by its President Mr.R.Ravindran,
S/o.(Late) Mr.M.Ramasamy,
No.9/71, B.L.Kanavaipatty,
Namakkal-637 002. ... Petitioner

Vs.,

The State of Tamil Nadu
rep. by Secretary to Government,
Higher Education,
Fort St. George,
Chennai-600 009 ... Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider the representations dated 22.02.2016 and 28.02.2016 of the petitioner within a time frame.

For Petitioner : Mr.A.Edwinprabakar

For Respondent : Mr.N.Srinivasan, AGP

सत्यमेव जयते
ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondent to consider the representations dated 22.02.2016 and 28.02.2016 given by the petitioner within a time frame.

2.In the affidavit filed in support of the writ petition, it has been averred by the petitioner as follows_

The petitioner-Association sent several representations to the respondent herein on various dates to revise the educational qualification of the Laboratory Assistant from SSLC pass with 2 or 3 years experience to an undergraduate Degree with pass in

Lab Tach Course (2 years) from a Government Approved institution, so that they can render better assistance to the college students and to increase the scale of pay of Lab assistants. But, the respondent has not taken any action on the representations of the petitioner. Hence, the petitioner had filed a writ petition in W.P.No.34168 of 2015 to direct the respondent to consider their representation and this Court also by order dated 28.10.2015 directed the Director, Directorate of Collegiate Education, Chennai, to consider the petitioner's representation and to pass orders on merits and in accordance with law. Pursuant to the said order of this Court, the Director, Directorate of Collegiate Education, Chennai vide his proceedings in Na.Ka.No.25586/B2/2005, dated 05.07.2010, made the following recommendations to the Government, the respondent herein_

(i) The service of Lab Assistants comes under Class XIV of General Sub-Ordinate Service (Special Rules).

(ii) To change the educational qualification of Lab Assistants from SSLC and 2 or 3 years experience to Undergraduate Degree with pass in Lab Tech Course (2 years) from a Government approved institution and to fix scale of pay equal to that of Central Government Staff (9300 + 4800) with regard to new recruits.

(iii) To extend the benefits in scale of pay of new recruits to those existing Lab Assistants. Thereafter, the petitioner made the representations dated 22.02.2016 and 28.02.2016 to the respondent seeking to upgrading the educational qualification for the post of Lab Assistant in various Government Colleges throughout the State of Tamil Nadu. Since the petitioner's representations were not considered by the respondent, the petitioner has come forward with the present writ petition.

3. Heard the learned counsel Mr.A.Edwindprabakar appearing for the petitioner and Mr.N.Srinivasan, Additional Government Pleader appearing for the respondent and perused the materials available on record.

4. Considering the facts and circumstance of the case, this Court directs the petitioner to give fresh representation to the respondent, along with a copy of this order, within one week from the date of receipt of a copy of this order. Such representation being made, the respondent is directed to consider the same, in the light of the recommendations made by the Director, Directorate of Collegiate Education, Chennai vide his proceedings in Na.Ka.No.25586/B2/2005, dated 05.07.2010, and to pass appropriate order, on merits and in accordance with law, within a period of eight weeks thereafter.

With the above direction, the writ petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To,

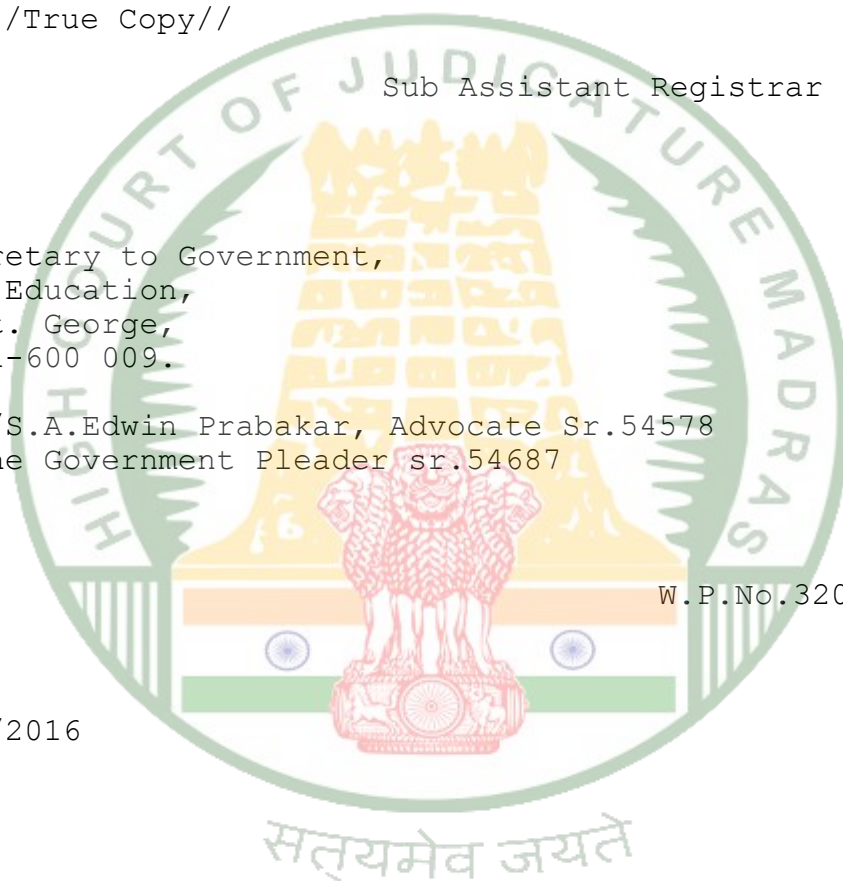
1.The Secretary to Government,
Higher Education,
Fort St. George,
Chennai-600 009.

+1cc to M/S.A.Edwin Prabakar, Advocate Sr.54578

+1cc to the Government Pleader sr.54687

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