



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P(MD)No.4626 of 2015

Thanjavur District Centre for Social
Welfare rep. by its Vice President
V.Jeevakumar,
No.1, 1st Street, Thiruvalluvar Nagar,
Nanjikottai Road,
Thanjavur.

.. Petitioner

Vs.

1.Union of India rep. by its
Secretary,
Department of Social Welfare,
New Delhi - 110 001.

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

3.The District Collector-cum-Director,
Saraswathi Mahal Library,
Thanjavur.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to appoint Director for the second respondent Saraswathi Mahal Library, Thanjavur for effective administration.

For Petitioner

: Mr.M.Karunanithi

For Respondents 1 and 2

: No appearance

For Respondent No.3

: Mr.Aayiram K.Selvakumar
Government Advocate.

**ORDER**

[Order of the Court was made by **S.NAGAMUTHU, J**]

The petitioner is an association, known as Thanjavur District Centre for Social Welfare, which is represented by one Mr.V.Jeevakumar, Vice President of the said association. According to him, the Saraswathi Mahal Library in Thanjavur is an ancient library, which was established by the Maratha King of Thanjavur, the King Serfoji and the same was taken over by the Government of Tamil Nadu, under G.O.No.1306, Home Education, dated 05.10.1918. In this library, manuscripts numbering more than 65,000 and palm leaf manuscripts numbering 50,000 are kept. The Saraswathi Mahal Library, from the day of its taking over, was headed by an Administrative Officer. But, according to the petitioner, the said post has been kept vacant from the year 1992. Under Right to Information Act, he has been informed that the said post has been kept vacant from the year 1992 and the P.A.(General) to the District Collector, Thanjavur is discharging the functions of the Administrative Officer.

2.Though the District Collector, Thanjavur, has not filed any counter, there can be no dispute that the said post has been kept vacant from the year 1992, which is evident from the information furnished under the Right to Information Act. Thus, the Saraswathi Mahal Library is functioning as a headless institution. In our considered view, it is not good for the institution. Since, it serves lot of laudable purposes, it should be immediately allowed to be headed by a competent administrative officer. Therefore, We cannot afford to allow the said post to be kept vacant any more.

3.In view of the above, the writ petition is allowed. The respondents are directed to fill-up the post of the Administrative Officer of Saraswathi Mahal Library at Thanjavur, by appointing a well qualified competent person as the officer, by following the procedure established, within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/



smn

To

1.The Secretary, Department of Social Welfare,
Government of India, New Delhi - 110 001.

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

3.The District Collector-cum-Director,
Saraswathi Mahal Library,
Thanjavur.

+1CC to Mr.M.Karunanithi, Advocate Sr.No.55041

+1CC to Spl.Government Pleader Sr.No.55170

GJM/SS2/30.9.16-3p-6c

ORDER MADE IN
W.P (MD) No.4626 of 2015
22.09.2016