



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.20919 of 2016

and

W.M.P. (MD) .Nos.14927 and 14928 of 2016

S.Murugesan

: Petitioner

Vs.

1.The Directorate General of Training [DGT],
Ministry of Skill Development and Entrepreneurship,
Shram Shakti Bhawan, Rafi Marg,
New Delhi 110 001.

2.The Director,
Department of Employment and Training,
Aalanthur Road, Guindy, Chennai 600 032.

3.The Regional Joint Director of Training,
Guindy, Chennai 32.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the impugned Circular in Na.Ka.No.2880/Ni8/16, dated 28.07.2016, issued by the third respondent and quash the same.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.S.Chandrasekar
Government Advocate

O R D E R

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

The petitioner has come up with this Writ Petition challenging the memorandum issued by the third respondent, by his proceedings in Na.Ka.No.2880/Ni8/16, dated 28.07.2016, wherein he has directed that the Industrial Training Institutes run by the Private Agencies, but under the control of the third respondent, shall
herein reproduce Biometric Device to record the attendance of the students.



2. We have heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and we have also perused the records carefully.

3. It is submitted by the petitioner that compelling ITIs to install Biometric Device so as to compel the students to affix their finger prints would be interference into their privacy, as guaranteed in Article 21 of the Constitution of India.

4. It is brought to our notice that similar issue is under the consideration of the Hon'ble Supreme Court in Writ Petition (Civil) No.494 of 2012. Therefore, we are inclined to dispose of this Writ Petition with a direction that the validity of the memorandum under challenge in this Writ Petition shall be subject to the outcome of the Writ Petition (Civil) No.494 of 2012, pending on the file of the Hon'ble Supreme Court. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The Directorate General of Training [DGT],
Ministry of Skill Development and Entrepreneurship,
Shram Shakti Bhawan, Rafi Marg,
New Delhi 110 001.

2.The Director,
Department of Employment and Training,
Aalanthur Road, Guindy, Chennai 600 032.

3.The Regional Joint Director of Training,
Guindy, Chennai 32.

+One cc to Mr.R.Subramanian Advocate, SR.No.65594

+One cc to The special Government Pleader, SR.No.65315

NB

RL/6C/2P/SKS/RR/12.12.2016

ORDER MADE IN
W.P.[MD].No.20919 of 2016