

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.1952 of 2017

Tamil Nadu Arasu Pothu Noolaga Thura

Paniyalar Kazhgam (C&D),

No.737, LLA Building,

Anna Salai, Chennai - 2.

Rep. By its State President

M.Rajesh Kumar

... Petitioner

Vs

1.The State of Tamil Nadu,

Rep. By its Principal Secretary to Government,

School Education Department,

Secretariat, Fort St. George,

Chennai - 9.

2.The Director of Public Libraries (In-charges),

No.737/1, Anna Salai,

Chennai - 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the first respondent State Government to fill up the post of Director of Public Libraries with qualified persons on regular basis as per Service Rules notified in G.O.Ms.No.102, School Education (PL.1) Department, dated 01.07.2013 in compliance with the orders passed by this Court in W.P.No.3272 of 2012, dated 11.04.2012 and subsequent orders passed in W.P.No.33888 of 2016, dated 28.09.2016 within a time frame.

For petitioner : Mr.G.Sankaran

For Respondents : Mr.K.Venkataramani, AAG

Assist. By Mr.V.Jayaprakashnarayanan, Spl.GP

O R D E R

By way of filing this writ petition, the petitioner seeks a direction to the first respondent / the Principal Secretary to Government, School Education Department, Chennai, to fill up the post of Director of Public Libraries with qualified persons on regular basis as per Service Rules notified in G.O.Ms.No.102, School Education (PL.1) Department, dated 01.07.2013, in compliance with the orders passed by this Court in W.P.No.3272 of 2012, dated 11.04.2012 and also subsequent orders passed in W.P.No.33888 of 2016, dated 28.09.2016.

2. When the matter was taken up on 23.03.2017, learned Additional Advocate General, by getting instruction from Ms.M.Sumathi, who was present in the Court, submitted that the respondents are in process of filling up of the post of Director of Public Libraries through third category, namely, recruitment by transfer. However, such submission of the learned Additional Advocate General was strongly denied by the learned counsel for the petitioner, therefore, this Court directed the first respondent to produce the relevant files to pass final orders.

3. Pursuant to the above said order, when the matter is taken up today, learned Additional Advocate General produced the relevant files before this Court. A mere perusal of the files would show that through Director of College Education, they have received two applications, namely, from Dr.K.Rajkumar and Dr.M.Ravichandran, besides, they have also received third application from Dr.S.K.Ashok Kumar, through the Government.

4. In view of the above, it is submitted by the learned Additional Advocate General that since three departments, namely, Personnel and Administrative Reforms Department, Higher Education Department and Tamil Nadu Public Service Commission, are to be consulted for filling up of the said post, minimum four months time required to finalise the said process. However, this Court is not inclined to grant such time as sought for, inasmuch as this Court had already in W.P.No.33888 of 2016, dated 28.09.2016, given a direction to the respondents to consider the representation dated 04.07.2016, within a period of six weeks, with regard to the same prayer cited supra. Thus, this Court, by declining to grant such time, is inclined to grant only three months time from today.

5. Accordingly, this Court, by recording the submissions of the learned Additional Advocate General, directs the first respondent to fill up the post of Director of Public Libraries in accordance with law, within a period of three months from today. Although three departments, namely, Personnel and Administrative Reforms Department, Higher

Education Department and Tamil Nadu Public Service Commission, are not parties to this writ petition, they are directed to cooperate with the respondents to fill up the said post within such time.

6. With the above directions, the writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar
rkm

To

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 9.
- 2.The Director of Public Libraries (In-charges),
No.737/1, Anna Salai,
Chennai - 600 002.
- 3.The Secretary,
Personnel and Administrative Reforms Department
- 4.The Secretary,
School Higher Education Department,
Chennai.
- 5.The Secretary,
Tami Nadu Public Service Commission,
Chennai.

+lcc to Mr.G.Sankaran, Advocate SR.No.20954

+lcc to Government Pleader SR.No.21237

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SSI(CO)
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