

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.Nos.5144 and 5145 of 2015

Brilliant Industrial Training Centre
rep. by its Correspondent

Rm.Somasundaram,

No.63, Janakipuri First Street,

Velachery,

Chennai- 600 042

... Petitioner in W.P.No.5144/2015

Brilliant Industrial Training Centre

rep. by its Correspondent

Rm.Somasundaram,

No.50/145, Mount Road,

Saidapet,

Chennai- 600 015

... Petitioner in W.P.No.5145/2015

vs.

1. The Director General of Employment & Training
Ministry of Labour,
Sharam Shakthi Bhavan,
Rafi Marg,
New Delhi 110 001.

2. The Regional Director of Apprenticeship Training
(Southern Region)
CTI Campus, Guindy,
Chennai-32.

3. The Commissioner of Employment & Training,
Guindy,
Chennai - 32.

...Respondents in both the W.Ps.

PRAYER IN W.P.No.5144 of 2015: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 and 2 to settle the claim for reimbursement of training costs of Rs.3,87,600/- with interest to the petitioner Institute for conducting the Modular Employable Skills (MES) course under Skill Development Initiative scheme (SDI Scheme).

PRAYER IN W.P.No. 5145 of 2015: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 and 2 to settle the claim for reimbursement of training costs of Rs.2,21,400/- with interest to the petitioner Institute for conducting the Modular Employable Skills (MES) course under Skill Development Initiative Scheme (SDI Scheme).

For Petitioners: Mr.S.Kamadevan

For Respondents: Mr.K.Raju,
C.G.S.C for R1 and R2
Mr.A.Kumar,
Special Government Pleader for R3

COMMON ORDER

In both these writ petitions, the respective writ petitioner seeks for a Mandamus directing the respondents 1 and 2 to settle their claim for re-imbursement of Training costs of Rs.3,87,600/- to the petitioner in W.P.No.5144/2015 and Rs.2,21,400/- to the petitioner in W.P.No.5145/2015 with interest for conducting the Modular Employable Skills (MES) Course under Skill Development Initiative Scheme (SDI Scheme).

2. Heard the learned counsel for the petitioners and the learned counsel appearing for the respondents.

3. It appears from the counter affidavit filed by the respondents 1 and 2 that the two member committee constituted for verification of pending bills inspected the petitioners Institution and also made recommendations as early as in the month of July, 2014. It is further seen from the stand of the respondents 1 and 2 that based on such report of the Committee, a letter was also addressed on 17.10.2014 to the Commissioner of Employment and Training namely, the 3rd respondent. Therefore, it is stated by the learned counsel for the respondents 1 and 2 that the matter is now pending before the 3rd respondent, who in turn has to consider and pass necessary orders.

4. The 3rd respondent filed a counter, wherein it is stated that based on the report of the Committee constituted by the 2nd respondent, action has been taken by the 3rd respondent to make the payment and the eligible claim of the petitioners will be settled immediately after scrutiny of necessary records. The grievance of the petitioners is that even though such claim was made much earlier, the respondents have not settled the same so far. Needless to say that it is for the respondents to consider the claim of the petitioners and pass orders on the same without losing further time. Accordingly, the 3rd respondent is directed

to pass orders on the claim made by the petitioners on merits and in accordance with law and also by considering the report filed by the said Committee. Such exercise shall be done by the 3rd respondent within a period of eight weeks from the date of receipt of a copy of this order. On receipt of such order, if the petitioners have further grievance if any, it is open to them to agitate the same in the manner known to law. Accordingly, the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Director General of Employment & Training
Ministry of Labour,
Sharam Shakthi Bhavan,
Rafi Marg,
New Delhi 110 001.
2. The Regional Director of Apprenticeship Training
(Southern Region)
CTI Campus, Guindy,
Chennai-32.
3. The Commissioner of Employment & Training,
Guindy,
Chennai - 32.

+1 cc to Mr.S.Kamadevan Advocate sr 60966
+1 cc to the Government Pleader sr 62105

W.P.Nos.5144 and 5145 of 2015

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