

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.01.2017

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.44433 of 2016

A.Jothiramalingam

...Petitioner

-Vs-

1. State rep. by its Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600 009.
 2. The Director of Public Libraries,
Office of the Directorate of Public Libraries,
Anna Salai,
Chennai - 2.
 3. The District Library Officer,
(Library committee) Infantry Road,
Post Box No.123, Vellore,
Vellore District.
- Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 08.11.2016 for appointment as Village librarian in special time scale of pay in the light of the order issued in G.O.(1D)No.305, School education Department dated 26.07.2016 and to confer all other consequential benefits within the time framed by this Court.

For Petitioner : Mr.K.Gandhikumar

For Respondents : Mr.K.Dhananjayan, Special Govt.Pleader

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner was appointed as a Part time Librarian by the 3rd respondent based on his qualification. While in service, he has also completed CLIS course during the year 1998 and it was also registered in Employment Exchange on 26.11.1998. The petitioner was transferred to the post of Village Librarian, Mittapettai and Anvarthikan Pettai and on 01.01.2007 he was posted to Kattupakkam and was working as Village Librarian (in charge). It is the claim of the petitioner that ever since the date of appointment, he was discharging his duties to the satisfaction of his superior officers. The qualification prescribed for the post of Village Librarian as per G.O.Ms.No.66 Education Science and Technology (K1) Department dated 30.01.1996 is pass in +2 with C.L.I.S.

3. It is the specific case of the petitioner that the persons similarly placed had been accommodated as Village Librarian in the light of various orders passed by this Court and as such in this regard, he has also submitted a representation dated 08.11.2016 to the respondents praying for appointment as Village Librarian on the special time scale of pay in the light of G.O.(1D) No.305, School Education Department dated 26.07.2016 and inspite of receipt of acknowledgement, the said representation having not been disposed of, the petitioner is constrained to approach this Court by filing this writ petition.

4. Learned counsel appearing for the petitioner has drawn the attention of this Court to the order dated 25.08.2015 made in W.P.No.26521 of 2015 (K.Kannagi vs. State rep. by Secretary to Government, School Education Department, fort St.George, Chennai-9 & 2 others) and would submit that in similar facts and circumstances, this Court has directed the 2nd respondent herein to consider and dispose of the representation in the light of the above cited G.O. and prays for similar orders.

5. This Court heard the submission of Mr.K.Dhananjayan, learned Special Government Pleader appearing on behalf of the respondents.

6. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim made by the

petitioner either in the representation or in the writ petition, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 08.11.2016 on merits and in accordance with law , after taking note of the order passed by this Court dated 25.08.2015 made in W.P.No.26521 of 2015 and G.O.(1D), No.305, School Education Department, dated 26.07.2016, and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

s/d-

Assistant Registrar (CS-VI)

// True Copy //

Sub-Assistant Registrar

vsi

To

1. The Secretary to Government,
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Chennai - 600 009.
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Vellore District.

+1 CC to Mr.K. Gandhikumar, Advocate sr 36

+1 CC to The Govt. Pleader sr 223

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