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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **02.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.7359 of 2017
and
WMP (MD) No.5776

D.Roopsingh Robinson Rajkumar .. Petitioner
Vs.

1.The State of Tamil Nadu,
Rep by its Chief Secretary,
Secretariat,
St.George Fort,
Chennai-600009.

2.The Health Secretary,
State of Tamil Nadu,
Secretariat,
St.George Fort,
Chennai - 600 009.

3.The Director General,
Department of AIDS Control Organization,
6th Floor, Chandralok Building,
No.36, Jan Path,
New Delhi - 110001.

4.The Project Director,
Tamil Nadu State AIDS Control Society,
No.417, Pantheon Road,
Egmore, Chennai - 600 008.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to conduct certificate verification to the employees who are working under the fourth respondent and to remove ineligible employees, who are not having education qualification prescribed in NACO Guidelines based on the petitioners representation dated 06.02.2017 within the time may be stipulated by this Court

For petitioner : Mr.K.Neelamegam

For R 1, 2 and R4 : Mr.Govindan
Special Government Pleader

For R3 : No appearance



JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

This Writ Petition has been filed for directing the respondents to conduct certificate verification of the employees who are working in Tamil Nadu State Aids Control Society.

2. According to the writ petitioner, persons who are not having requisite educational qualifications as prescribed in NACO guidelines are working in the said Society and that they have to be removed. He had already given representation on 06.02.2017 in this regard and the same was not acted upon. He was therefore constrained to move this writ petition.

3. Since the issue that ineligible persons have been employed and are being paid salary out of the public funds has been raised, we deem it fit and proper, to give a direction to the second respondent to enquire into the said representation of the appellant dated 06.02.2017 and pass orders on merits and in accordance with law, within two months from the date of receipt of a copy of this order. If the second respondent comes to the conclusion that the third respondent will have to be involved, it is certainly open to the second respondent to take up the matter with the third respondent.

4. This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

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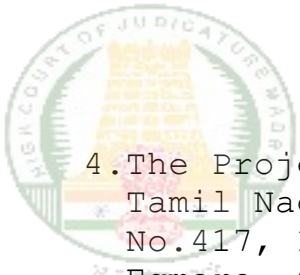
Sub Assistant Registrar

To:

1. The Chief Secretary,
Secretariat,
St. George Fort,
Chennai-600009.

2. The Health Secretary,
State of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai - 600 009.

3. The Director General,
Department of AIDS Control Organization,
Central Secretariat Building,
No.36, Jan Path,
New Delhi - 110001.



4.The Project Director,
Tamil Nadu State AIDS Control Society,
No.417, Pantheon Road,
Egmore, Chennai - 600 008.

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+1cc to M/S.K.NEELAMEGAM, Advocate SR.No.69916

+1cc to Special Government Pleader, SR.No.70255

+1cc to Mr.T.BALAJI, Advocate, SR. 69987

dsk

MAS/SKN-RSK/SAR2:29.08.2017:3P-8C

W.P. (MD) No.7359 of 2017
02.08.2017