IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2018

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.A.No.1122 of 2011
& M.P.No.1 of 2011

The Deputy General Manager,
Uco Bank, Zonal Office,
328, Thambu Chetty Street,
Chennai.
(Cause title accepted vide order
of Court dt.14.06.2011 made in
MP.1/2011 in WA.SR.No.27272/2011) ... Appellant

Vs.

1.R.RAvichandran

2.The State Level Scrutiny Committee,
rep., by its Chairman,
Adi Dravida and Tribal Welfare Department,
Fort St. George, Chennai-600 009.
(R2 impleaded as party respondent vide
order of Court dt.20.10.2011 made in
M.P.No.2 of 2011 in WA.1122/2011) ... Respondents

Writ Appeal is preferred under Clause 15 of the Letters Patent against the order dated 26.10.2010 passed in W.P.No.1299 of 2004 filed under article 226 of the Constitution of India praying for the issue of Writ of Mandamus to direct the respondent to confirm the services of the petitioner with reference to his initial date of appointment with all other attendant and consequential benefits.

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For Appellant : Mr.Srinath Sridevan

For respondents : Mr.K.Vijay Shankar for R1
Mrs.A.Srijayanthi,

Special Government Pleader for R2

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JUDGMENT

(Judgment of the Court was made by M.M.SUNDRESH,J.)

This appeal is preferred against the order of the learned single Judge, by which, the appellant was directed to confirm the services of private respondent during the pendency of the genuineness of the Community Certificate from the State Level Scrutiny Committee.

2.The learned counsel appearing for the appellant would submit that the issue is still pending with the State Level Scrutiny Committee. He further submitted that the State Level Scrutiny Committee has not at all called him till now.

3. The learned Special Government Pleader appearing for the second respondent would submit that the enquiry will be completed within a period of eight weeks.

4. We are on a different issue. As on today, the Community Certificate stands. Therefore, in law, the private respondent is entitled to get confirmation. However, the said order of confirmation is certainly subject to the decision of the State Level Scrutiny Committee. If the report of the State Level Scrutiny Committee is to the effect that the private respondent does not belong to Scheduled Tribe community, it is well open to the appellant to take action as per law. The State Level Scrutiny Committee is directed to conclude the proceedings, after due notice to the private respondent, within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ appeal stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

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//True Copy//

Sub Assistant Registrar

raa

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To

The Chairman,
State Level Scrutiny Committee,
Adi Dravida and Tribal Welfare Department,
Fort St. George, Chennai-600 009.

+1 cc to Mr.V.Vijay Shankar, Advocate, S.R.No.87280

+1 cc to Mr.Srinath Sridevan, Advocate, S.R.No.87878

+1 cc to the Government Pleader, S.R.No.87434

W.A.No.1122 of 2011

PPA(CO)
SSM(13/02/2019)

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