

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.2619 of 2018

C.Mathesh

.. Petitioner

Vs

1. The Director of Commissioner of Sugars
No.675, Periyar Buildings,
Annasalai, Nandanam, Chennai.

2. The Managing Director/Chairman
Dharmapuri District Co-operative Sugar Mills,
Polytechnic College, Palacode,
Dharmapuri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a writ of Mandamus directing the Respondents to consider
the representation dated 28.07.2017 and to reinstate the petitioner as
workshop instructor and attendant benefits.

For Petitioner : Mr.R.Amburosh

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to consider the representation dated 28.07.2017 and to reinstate the petitioner as workshop instructor with attendant benefits.

2. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 and 2.

2. The case of the petitioner is that he has completed Diploma in Electronic in communications Engineering (D.E.C.E) and he was appointed to the post of "Workshop Instructor" on 15.12.2008 in Dharmapuri District Co-operative Sugar Mills, Polytechnic College with the consolidated pay of Rs.2,500/- per month in a walk in interview. Suddenly on 31.04.2015, he was removed from service by the second respondent. In this regard, the petitioner had given a representation to the second respondent on 28.07.2017, seeking to reinstate the petitioner in service. Since, there was no response the petitioner has come forward with this Writ Petition.

3. The learned counsel for the petitioner has submitted that the petitioner also issued with Identity Card and that shows that he has been serving in the second respondent college. Whiles, he should not have been removed from service without holding enquiry.

4.This Court does not find any merit in the writ petition on two grounds firstly when the petitioner claimed to be appointed as "Workshop Instructor" on 15.12.2008 in Dharmapuri District Co-operative Sugar Mills, Polytechnic College no order of appointment was issued by the competent authority to produce and substantiate the case of the petitioner. In the identity card issued by the respondents it is seen that he was issued with on 15.12.2008. The learned counsel for the petitioner is therefore wrong in relying upon the mere I.D. Card and the I.D.Card can never be substituted as an appointment order. Secondly, when he was removed from service on 31.01.2015 by the second respondent, after a delay of two and half years, the petitioner cannot approach this Court.

5. In view of the aforesaid reasons, this Court is not inclined to grant the relief as prayed for by the petitioner and therefore the same stands dismissed. No costs.

सत्यमेव जयते

07.02.2018

arr

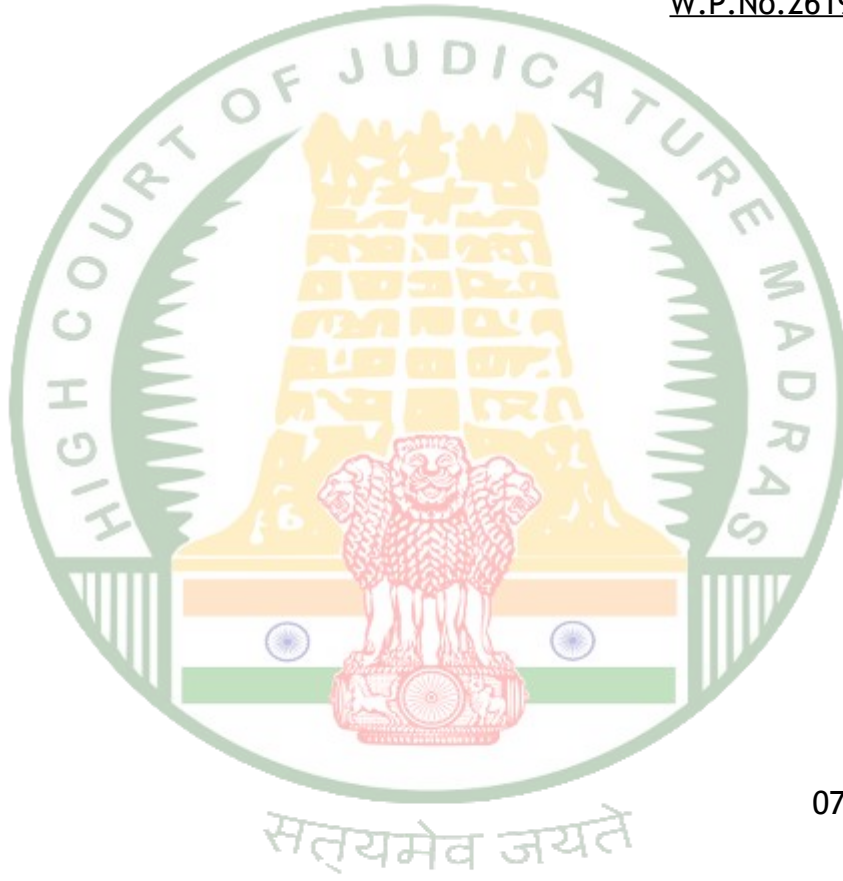
To

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T.RAJA,J
arr

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