

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31764 of 2018
and W.M.P.No.36987 of 2018

A.Jothiramalingam

....

Petitioner

Vs

1.The Government of Tamil Nadu
rep.by its Secretary, Education Department
Fort St.George, Chennai 600 009.

2.The Director of Public Library, Anna Salai
Chennai 600 002.

3.The District Library Officer,
Vellore District.

....

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent impugned order dated 12.02.2018 vide Na.Ka.No.462/A2/2017 quash the same as illegal and consequently direct the respondents herein to appoint the petitioners to the post of village Librarian in the light of the judgment dated 14.09.2016 in W.A.No.207 of 2014 confirming the order dated 28.03.2013 in W.P.No.12007 and 12009 of 2009 within a specified time limit that may be prescribed by this Court.

For Petitioner : Mr.S.Mani

For Respondent : Ms.P.Kavitha,
Government Advocate (Education)

O R D E R

The petitioner was appointed as part time village librarian on 26.11.1998. He has been working in the said post for more than 19 years. In the impugned order it is stated that the petitioner Jothiramalingam and another person by name Ramesh Kumar, though have completed +2, they are not sponsored through

Employment Exchange as per G.O.Ms.No.156 dated 10.09.1998. By G.O.Ms.No.156 dated 10.09.1998, the services of part time village librarians possessing five years work experience and sponsored by employment exchange, were ordered to be regularized. Persons similarly placed to that of the petitioners, who were denied regularisation on the ground of non-sponsorship by the employment exchange, approached this Court by filing W.P.Nos.12007 and 12009 of 2009. The said writ petition was allowed and the Government challenged the said order in W.A.No.209 and 1363 of 2014, which was dismissed by the Division Bench of this Court, confirming the order passed by the learned single Judge, and directed the respondents therein to consider the case of the petitioners therein, after regularising the requirement of sponsorship through Employment Exchange. Placing reliance on the earlier orders of this Court referred supra, the petitioner has filed the present writ petition, seeking to quash the order dated 12.02.2018.

2. Ms.P.Kavitha, learned Government Advocate (Education) takes notice on behalf of the respondents. Heard the learned counsel on either side and perused the materials placed on record.

3. In the light of the earlier order passed by this Court in W.P.Nos.12007 and 12009 of 2009, which was later confirmed by the Division Bench of this Court in W.A.Nos.209 and 1363 of 2014, the impugned order dated 12.02.2018 is set aside and the respondents are directed to consider the claim of the petitioners, and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar (CS-J)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Secretary,
The Government of Tamil Nadu
Education Department
Fort St.George, Chennai 600 009.

2.The Director of Public Library,
Anna Salai
Chennai 600 002.

3.The District Library Officer,
Vellore District

+lcc to Mr.S.Mani Advocate, S.R.No. 85887
+lcc to the Government Pleader, S.R.No. 85858

W.P.No.31764 of 2018

GN(08/01/2019)



WEB COPY