

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM

THE HON'BLE MR.JUSTICE R.SUBBIAH

AND

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

WRIT PETITION NO.2572 OF 2019

1. The Board of Trustees of  
Chennai Port Trust represented  
by its Chairman,  
Rajaji Salai, Chennai.
2. The Secretary,  
Chennai Port Trust,  
Rajaji Salai, Chennai. ....Petitioners

Vs.

1. The State Level Scrutiny Committee/  
Principal Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Chennai 600 009.
2. P.Rajendran,  
Senior Accounts Officer,  
Finance Department,  
Chennai Port Trust,  
S/o Shri R.Palani,  
No.112/231, R.K.Mutt Road,  
Mandaveli, Chennai - 600 028. ...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent/State Level Committee herein, to complete the enquiry within the time stipulated by this Hon'ble Court with regard to the Status of the second respondent herein based upon the representation of the petitioner in SCT2/18645/2005/GA dated 06.04.2018.

For Petitioner : Mr.R.Karthikeyan

For Respondents: Mr.J.Pothiraj,  
Special Government Pleader [R1]  
: Mr.N.Naganathan [R2]

O R D E R  
[Order was delivered by R.SUBBIAH,J]

The petitioners have filed this writ petition seeking issuance of a Writ of Mandamus directing the first respondent/State Level Committee herein, to complete the enquiry within the time stipulated with regard to the Status of the second respondent based upon the petitioner's representation in SCT2/18645/2005/GA dated 06.04.2018.

2. According to the petitioners, the Second Respondent joined the service as a Lascar Grade-II in Engineering Department, on 16.03.1984 against vacancy reserved for Scheduled Tribe, declaring himself as 'MUDUGAR' on a Certificate issued by the Head Quarters Deputy Thasildar, Gingee, South Arcot District, on 04.08.1976. While so, a complaint was received by the petitioners stating that the second respondent had obtained a job by producing a bogus certificate. Hence the matter was referred to State Level Scrutiny Committee and is pending before the State Level Scrutiny Committee for long time. In fact, the petitioners addressed various letters right from 2017 for completion of the enquiry, but, no order was passed till date, Having no other alternative remedy, petitioners have approached this Court by way of this Writ Petition.

3. Heard learned counsel for the petitioner and learned Special Government Pleader for the first respondent and learned counsel for the second respondent.

4. Without going into the merits of the matter, considering the facts and circumstances of the case, this Writ Petition is disposed of by directing the first respondent to conduct an enquiry and pass appropriate orders on the community Status of the second respondent in accordance with law, as expeditiously as possible, in any event, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The State Level Scrutiny Committee/  
Principal Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Chennai 600 009.

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NM(CO)  
CS/12/04/2019



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