

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.15351 of 2005

R.Pandian

... Petitioner

Vs.

1. The Director of Social Defence,
No.153, Purasawalkam High Road,
Purasawalkam,
Chennai - 10.

2. The Superintendent,
Government Children Home,
No.1, Shanmuga Perumal Street,
Keelperumbakkam,
Villupuram,
Villupuram District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records in pursuant to the impugned order passed by the 1st respondent in Proc.No.4228/A2/2005, dated 28.03.2005 and the consequential order passed by the 2nd respondent in Proc.No.260/05/A1, dated 31.03.2005 and quash the orders.

For Petitioner : Mr.N.Kolandaivelu

For Respondents : Mrs.K.Bhuvaneswari, AGP

ORDER

This petition has been filed to quash the order passed by the first respondent in Proc.No.4228/A2/2005, dated 28.03.2005 and the consequential order passed by the second respondent in Proc.No.260/05/A1, dated 31.03.2005.

2. The petitioner is aggrieved against the order of revision dated 28.03.2005, whereby, he was reverted from the post of Junior Assistant to Chief Guard on the ground that he

had not undergone the Bhavanisagar Training.

3. The only ground raised by the petitioner in the present Writ Petition is that G.O.Ms.No.15, P. & A.R., Department, dated 21.02.2002 exempts Junior Assistant from undergoing the Foundational Training after completion of 53 years of age and since the petitioner is now aged about 54 years, the reversion is not proper.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner herein was directed on various days in the year 2002 - 2003 nominating him to undergo the Foundational Training for two months at Bhavanisagar, which he had failed to complete. As such, there was no infirmity in the impugned order of reversion.

5. On a perusal of the impugned orders, it is seen that the petitioner herein was nominated to undergo Foundational Training on 08.07.2002, 28.05.2003 and 07.10.2003. Though the petitioner herein was about 54 years at the time of filing the Writ Petition, when he was initially nominated to undergo training in the year 2002, he was 51 years, at which point of time, there was no exemption as per the G.O.Ms.No.15, P. & A.R., Department, dated 21.02.2002. As such, the ground taken by the petitioner in the Writ Petition cannot be sustained.

6. For all the foregoing reasons, I do not find any infirmity in the impugned order. Hence, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Director of Social Defence,
No.153, Purasawalkam High Road,
Purasawalkam,
Chennai - 10.

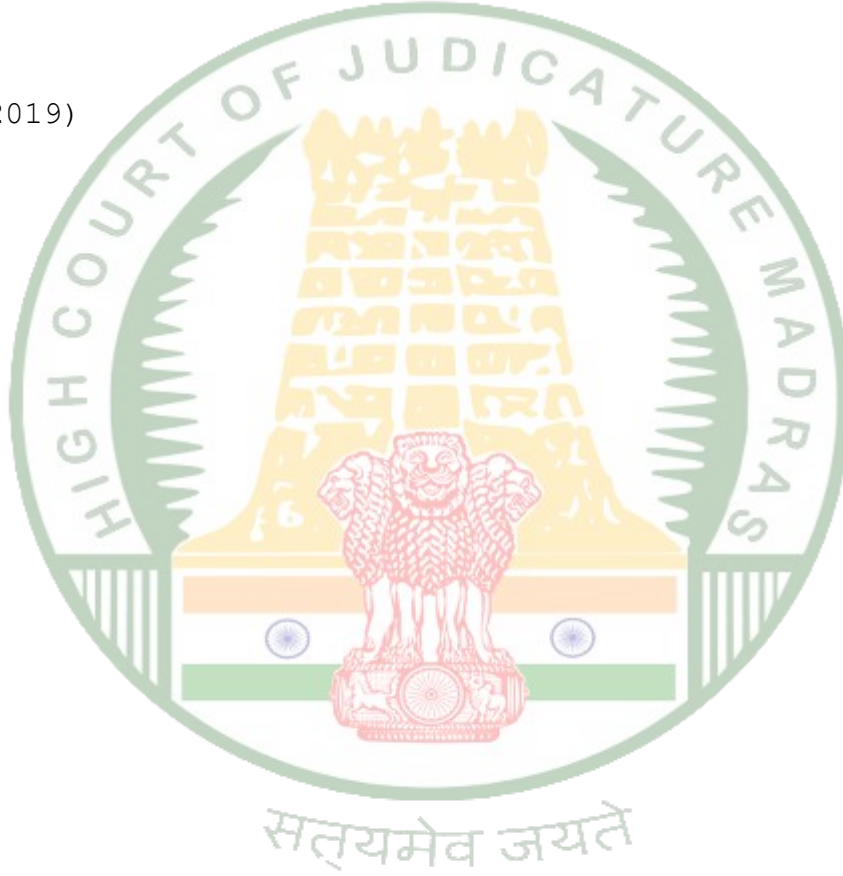
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2. The Superintendent,
Government Children Home,
No.1, Shanmuga Perumal Street,
Keelperumbakkam,
Villupuram,
Villupuram District.

+1cc to the Government Pleader, S.R.No. 40668

W.P.No.15351 of 2005

AK(CO)
GN(28/05/2019)



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