

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30502 of 2019

Dr.Arockia Doss

.. Petitioner

Vs.

1. The Joint Secretary (Languages),
The Union of India,
Department of Higher Education,
Ministry of Human Resources Development,
Government of India, Sastri Bhawan, C wing,
New Delhi - 110 115.
2. The Director (Languages),
Department of Higher Education,
Ministry of Human Resources Development,
Government of India, Sastri Bhawan, C wing,
New Delhi - 110 115.
3. The Director,
Central Institute of Classical Tamil,
No.40, IRT campus, 100 feet road,
Taramani, Chennai - 600 113.
4. The Registrar,
Central Institute of Classical Tamil,
No.40, IRT campus, 100 feet road,
Taramani, Chennai - 600 113.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner representation dated 09.05.2019 on merits.

For Petitioner : Mr.R.Rajiv Gandhi
For R1 : Mr.S.Thiruvengadam

O R D E R

This Writ Petition is filed for a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 09.05.2019 on merits.

2. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner is a differently abled person with 60% disability and was serving in the Central Institute of Classical Tamil, Chennai for more than a decade. He was selected and appointed on the basis of regular selection procedure followed by the respondents. He joined as Junior Resource Person on 12.10.2007 at Central Institute of Indian languages, Mysore and the same was shifted to Chennai as Central Institute of Classical Tamil on 19.05.2008. Thereafter he was promoted as Senior Resource Person on the basis of obtaining Ph.D. He was appointed only on daily wage basis and till date for the past 12 years, he was receiving a sum of Rs.1,251/- per day excluding Saturdays, Sundays and Government holidays. Whereas, employees who were appointed along with him and also his juniors as daily wage basis, were now receiving consolidated monthly salary and for the past ten years he has not been given any promotion and consolidated monthly salary. Therefore he filed a Writ Petition in W.P.No.29545 of 2012 and this Court by the order dated 13.10.2017 allowed the Writ Petition. Thereafter the petitioner made representation to the respondents and other higher authorities on 24.07.2018 and the same was not considered. Therefore, he sent another representation on 09.05.2019 to the respondents to promote him as Research Officer and pay him consolidated monthly salary on par with other differently abled employees and however, till date the same was not considered by the respondents. Hence, the petitioner has come out with the present Writ Petition.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to consider the representation sent by the petitioner dated 09.05.2019 and pass orders on the same.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court hereby directs the respondents to consider the representation sent by the petitioner dated 09.05.2019 and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Joint Secretary (Languages),
The Union of India,
Department of Higher Education,
Ministry of Human Resources Development,
Government of India, Sastri Bhawan, C wing,
New Delhi - 110 115.

2.The Director (Languages),
Department of Higher Education,
Ministry of Human Resources Development,
Government of India, Sastri Bhawan, C wing,
New Delhi - 110 115.

3.The Director,
Central Institute of Classical Tamil,
No.40, IRT campus, 100 feet road,
Taramani, Chennai - 600 113.

4.The Registrar,
Central Institute of Classical Tamil,
No.40, IRT campus, 100 feet road,
Taramani, Chennai - 600 113.

+1 CC to Mr.R.Rajiv Gandhi, Advocate sr 89405.

+1 CC to Mr.S.Thiruvengadam, Advocate sr 89759.

W.P.No.30502 of 2019

SSD(CO)
SP(18/12/2019)

WEB COPY