

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33501 of 2019

and

W.M.P.Nos.33966 & 33970 of 2019

P.Sukumar

.. Petitioner

Vs.

1.State of Tamil Nadu
Represented by Secretary to Government
Labour and Employment Department
Secretariat, Chennai 600 009.

2.The Director / Commissioner of
Employment and Training
Guindy, Chennai 600 032.

3.The Joint Director (Craftsman Training)
Directorate of Employment and Training
Training Wing, Guindy
Chennai 600 032.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order of the 2nd respondent passed in Na.Ka.No.30374/ThoNupa2/2019 dated 06.11.2019 and quash the same and directing the respondents to appointment the petitioner as Junior Training Officer.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.A.N.Thambi Durai, Spl. G.P.

O R D E R

By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned counsel for the petitioner submitted that the Government in G.O.Ms.No.152, Labour and Employment Department dated 17.11.1998 prescribed a ratio among National Trade Certificate / National Apprenticeship Certificate / Diploma Holders as 1:1:1. This ratio was modified in G.O.Ms.No.288, Labour and Employment Department dated 13.12.2013 to that of 1:1 as between degree / diploma holders and NTC / NAC holders revised staff pattern was also introduced. The G.O. Dated 13.12.2013 was challenged in W.P.No.5133 of 2014 by the petitioner and 8 others. The writ petition was admitted and interim directions was issued to reserve one post of Junior Training Officer for each of the petitioner and the said interim order was in force till 14.02.2017 on which date this Court passed final order in the Writ Petition on untenable and erroneous grounds. Hence, the petitioner made a representation to the 2nd respondent on 02.05.2019 with a request to consider for appointment as Junior Training Officer in any one of the vacancies as per the direction given by this Court in W.P.No.5133 of 2014. Since it was not considered, the petitioner filed W.P.No.16577 of 2019. When the matter came for admission on 17.09.2019, this court directed the respondent to consider the petitioner's claim and pass appropriate order. However, the 2nd respondent has rejected the claim of the petitioner through the impugned order dated 27.05.2019 on the ground that the petitioner has not secured the required cut off marks. Challenging the said order, the petitioner is before this Court.

3.The learned Special Government Pleader appearing for the respondents submitted that the petitioner has challenged the impugned order passed by the 2nd respondent dated 27.05.2019. Admittedly, the petitioner has not secured the required marks for the appointment of Junior Training Officer, hence, the 2nd respondent has rightly rejected the claim of the petitioner, which does not warrant any interference. Accordingly, prays for dismissal of the writ petition.

4.Heard the learned counsel on either side.

5.In the light of the above submissions made by the Special Government Pleader that the petitioner has not secured the required marks for the appointment to the post of Junior Training Officer, this court is not inclined to allow this petition.

6.This writ petition stands dismissed accordingly. Liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To.

1.The Secretary to Government,
State of Tamil Nadu
Labour and Employment Department
Secretariat, Chennai 600 009.

2.The Director / Commissioner of
Employment and Training
Guindy, Chennai 600 032.

3.The Joint Director (Craftsman Training)
Directorate of Employment and Training
Training Wing, Guindy
Chennai 600 032.

+lcc to Mr.P.Ganesan, Advocate Sr.99830
+lcc to the Government Pleader Sr.100399

सत्यमेव जयते

W.P.No.33501 of 2019

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srg 08/01/2020

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