



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.06.2019
CORAM

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD)No.14480 of 2019 and
WMP(MD).No.10912 of 2019

A. Piramanayagam

...Petitioner

Vs

- 1.The Principal Secretary,
School Education and Public Library Department,
Secretariat,
Chennai - 600 009.
- 2.The Director,
Directorate of Public Libraries,
737/1, Anna Salai,
Chennai - 600 002.
- 3.The District Library Officer,
Tirunelveli District,
Palayamkottai,
Tirunelveli.

... Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to appoint the petitioner permanently by regularizing the petitioner in the librarian post, in any public Library in the Tirunelveli District, based on the representation, dated. 22.08.2016.

For Petitioner

: Mr.F.X. Eugene

For respondents

: Mr.M. Pandiarajan
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuing a direction to the respondent to appoint the petitioner permanently by regularizing him in the Librarian post, in any public Library in the Tirunelveli District, based on his representation, dated 22.08.2016.

2. Mr.M. Pandiarajan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he was appointed as temporary Librarian in the year 2003 and he is continuing his



service as part time Librarian in the respondents Department. Since the petitioner's service has not been regularized, he has made a representation, dated 22.08.2016, to the respondents to regularize his service as Librarian in any Public Library in the Tirunelveli District. But, the same has not been considered so far. Hence, the petitioner has filed the present Writ Petition before this Court.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner has no legal right to claim regularization of his service in the light of the Judgment of the Hon'ble Supreme Court reported in 2014(4) SCC (Government School Education Vs. R. Govindasamy and others).

5. I have heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the claim of the petitioner, directs the respondent concerned to consider the representation of the petitioner, dated 22.08.2016, in the light of the Judgment of the Hon'ble Supreme Court reported in **2014(4) SCC (Government School Education Vs. R. Govindasamy and others)** and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Principal Secretary,
School Education and Public Library Department, Secretariat,
Chennai - 600 009.
 - 2.The Director, Directorate of Public Libraries,
737/1, Anna Salai, Chennai - 600 002.
 - 3.The District Library Officer, Tirunelveli District,
Palayamkottai, Tirunelveli.
- +One cc to Mr.F.X.Eugene, Advocate, SR.No.72075
+One cc to The Special Government Pleader, SR.No.72533

W.P(MD)No.14480 of 2019 and
WMP(MD).No.10912 of 2019
28.06.2019