

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.06.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.1978 of 2015****and****M.P. (MD) .Nos.1 and 2 of 2015**

R.Rajapriya

... Petitioner

Vs.

1.The Director,
Employment & Training
Guindy,
Chennai 600 032.

2.The Joint Director (Craftsman Training)
Employment & Training,
Guindy, Chennai 600 032.

3.The Regional Joint Director of Training,
Khajamalai, Trichy-20

4.The Principal,
Government Industrial Training Institute
Vallam Road, Thanjavur-8.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to appoint the petitioner herein in one of the posts of Trainer/Full Time Contract Faculty in the 4th respondent as per her selection dated 06.11.2013 in the Roaster System in the interview dated 06.11.2014 without any further delay.

For Petitioner : M/s.C.Padmaraj

For R1 to R4 : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to appoint the petitioner in one of the post of Trainer/Full Time Contract Faculty in the fourth respondent Institute, as per her selection dated 06.11.2013 in the roster system in the interview dated 06.11.2014.

2.The learned counsel for the writ petitioner states that the petitioner is continuing as a Contract Faculty as of now, this Court is the considered opinion that if at all need arises and the rule permits, the respondents are at liberty to continue the writ



petitioner in her capacity as Contract Faculty. However, permanent appointment cannot be granted in violation of the recruitment rules in force. Long continuance of the Contract Faculty is also to be reconsidered. However, the writ petitioner is at liberty to participate in the process of selection for appointing to the regular post if any notification is issued. As far as the Contract Faculty is concerned, the writ petitioner cannot claim any right and if at all she is continuing as such, it is for the respondents to take a decision in this regard with reference to the rules in force. The learned counsel for the petitioner states that any vacancies are available to engage the Contract Faculty, that is the fact, it is left open to the respondents to ascertain the situation and take a decision on merits and in accordance with law.

3. With the above observation, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director,
Employment & Training
Guindy,
Chennai 600 032.

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4. The Principal,
Government Industrial Training Institute
Vallam Road, Thanjavur-8.

+1 CC to M/s. C. PADMA RAJ, Advocate SR-71021.

+1 CC to SPL GP SR-70934.

W.P. (MD) No. 1978 of 2015

and

M.P. (MD) Nos. 1 and 2 of 2015

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