

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2020

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. 11172 of 2013

Association of University Teachers,
(Regn. No.64/1997)
Jawahar Science College Unit,
Neyveli-607 803,
rep. by its Unit Secretary
Dr.K.Rajaram

... Petitioner

Vs

1. Jawahar Education Society,
rep. by its President,
Neyveli-607 803.

2. Jawahar Science College,
rep. by its Secretary,
Jawahar Science College,
Neyveli-607 803.

3. State of Tamil Nadu,
rep. by its Secretary to Government,
Department of Higher Education,
Fort St. George, Chennai-600 009.

4. The Vice-Chancellor,
Thiruvalluvar University,
Serkadu-632 115.

5. The Director of Collegiate Education,
College Road,
Chennai-600 006.

सत्यमेव जयते... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider and pass appropriate orders on the Demand/Requests made in the representation dated 05.01.2013 made by the petitioner association within a time frame fixed by this Hon'ble Court.

For Petitioner
For Respondents

: Mr.S.Sathia Chandran
: Mr.N.A.K.Sharma for R1 & R2
Mr.Akil Akbar Ali,
Govt. Advocate for R3 & R5
Mr.S.T.Rajan for R4

O R D E R

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to consider the petitioner's representation dated 05.01.2013.

2. The petitioner association sought for some benefits under the Government Orders viz., G.O.Ms.111, dated 21.03.1999, G.O. Ms.350, dated 09.09.2009 and G.O. Ms. 234, dated 01.06.2009 in respect of teaching and non-teaching staffs working in the 1st and 2nd respondents College. Earlier, they have sent a representation to the 1st and 2nd respondents on 05.01.2013, but the petitioner's representation, so far, it was not considered. Hence, the present Writ Petition has been filed.

3. I have considered the rival submissions made by the learned counsel appearing for the petitioner as well as learned counsel appearing for the respondents 1 and 2 and perused the records available on record.

4. Mr.A.K.Sharma, learned counsel appearing for respondents 1 and 2 submitted that, the Writ Petition itself is not maintainable, since the 1st and 2nd respondents are the societies registered under the Societies Registration Act, which would not come under the purview of Art.226 of Constitution of India. That apart, the Government Orders, in which the petitioner sought for relief is also not coming under the purview of 2nd respondent college.

5. However, considering the fact that the Writ Petition is pending from the year 2013, and the petitioner association only want to consider their representation on merit, without going into all those disputed questions, the 1st and 2nd respondents are directed to consider the petitioner's representation and pass suitable orders on merits in accordance with law within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Writ)

//True Copy//

Sub Assistant Registrar

Rpp

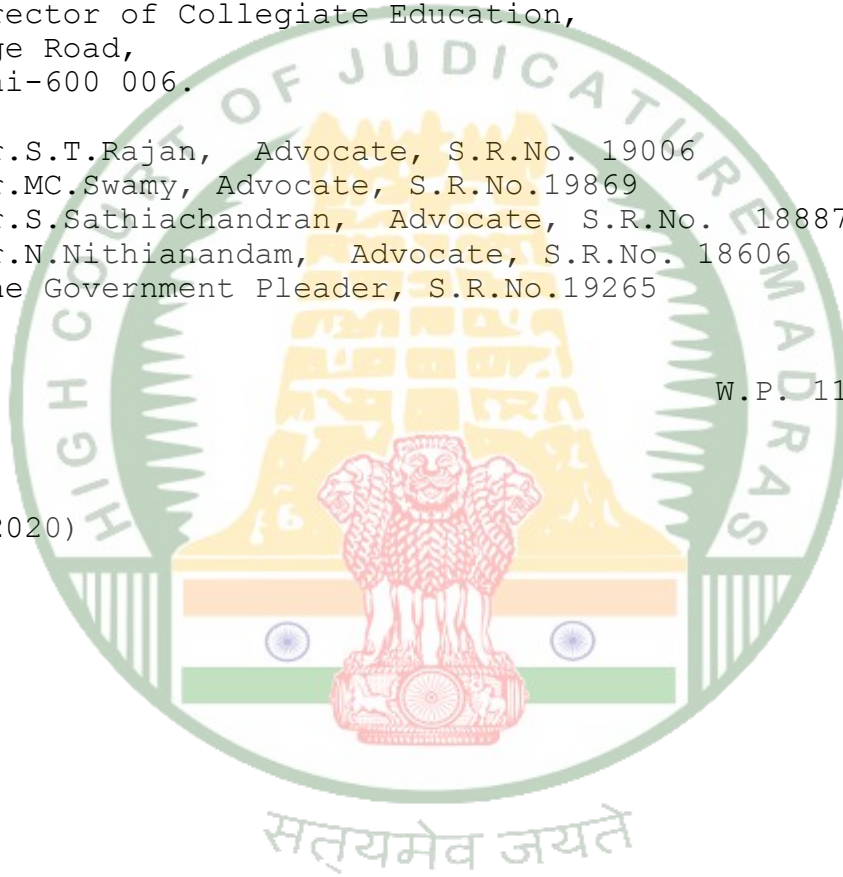
To

1. The Secretary to Government,
State of Tamil Nadu,
Department of Higher Education,
Fort St. George,
Chennai-600 009.
2. The Vice-Chancellor,
Thiruvalluvar University,
Serkadu-632 115.
3. The Director of Collegiate Education,
College Road,
Chennai-600 006.

+1cc to Mr.S.T.Rajan, Advocate, S.R.No. 19006
+1cc to Mr.MC.Swamy, Advocate, S.R.No.19869
+1cc to Mr.S.Sathiachandran, Advocate, S.R.No. 18887
+1cc to Mr.N.Nithianandam, Advocate, S.R.No. 18606
+1cc to the Government Pleader, S.R.No.19265

W.P. 11172 of 2013

MR (CO)
GN (06/08/2020)



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