

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

W.P.No. 22833 of 2015

S. Mageswari

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Tourism and Culture Department,
Secretariat, Chennai-600009.

2.The Commissioner of Art and Culture,
Egmore,
Chennai-600008.

3.The Principal
Government Architecture and Sculpture College,
Mammallapuram,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 14.07.2015 within a time frame fixed by this Court.

For Petitioner : M/s. L.Chandrakumar
For B.Gopalakrishnan

For Respondents : Mr.J.Ramesh, AGP

W R D E R

The prayer sought for in the Writ Petition is to direct the 2nd respondent to consider the petitioner's representation dated 14.07.2015 within a time frame fixed by this Court.

2. Brief facts of the case is as follows;

The petitioner has acquired qualifications of M.A (Music), Diploma in Bharathanatiam, Diploma in Music Teacher Training and M.Phil (Fine Arts). The petitioner was appointed as part

time lecturer on contract basis in the 3rd respondent college on 27.06.2011 to take class to the B.Tech and B.F.A (Bachelors of Fine Arts) students and till date she is continuing in the said post without regularisation of service. The 2nd respondent regularised many part-time lecturers from the date of their initial appointment in G.O.Ms. No. 42 Tourism and Culture Department, dated 28.03.2007, but her service was not regularised by the 2nd respondent. Therefore, the writ petitioner has made representation to the respondents on 14.07.2015 to regularise her service. However, the same is kept pending without consideration. Hence this Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the documents available on record.

4. It is submitted by the learned counsel for the petitioner that the services of similarly placed person have been regularised by the 2nd respondent in the post of lecturer for music and dance, therefore, the same benefits can be given to the writ petitioner herein.

5. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 14.07.2015 and pass appropriate orders within the reasonable time as fixed by this Court.

6. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner has no legal right to claim regularisation of service.

7. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the respondents to consider the petitioner's representation dated 14.07.2015 and pass orders on merits and in accordance with law as expeditiously as possible, in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

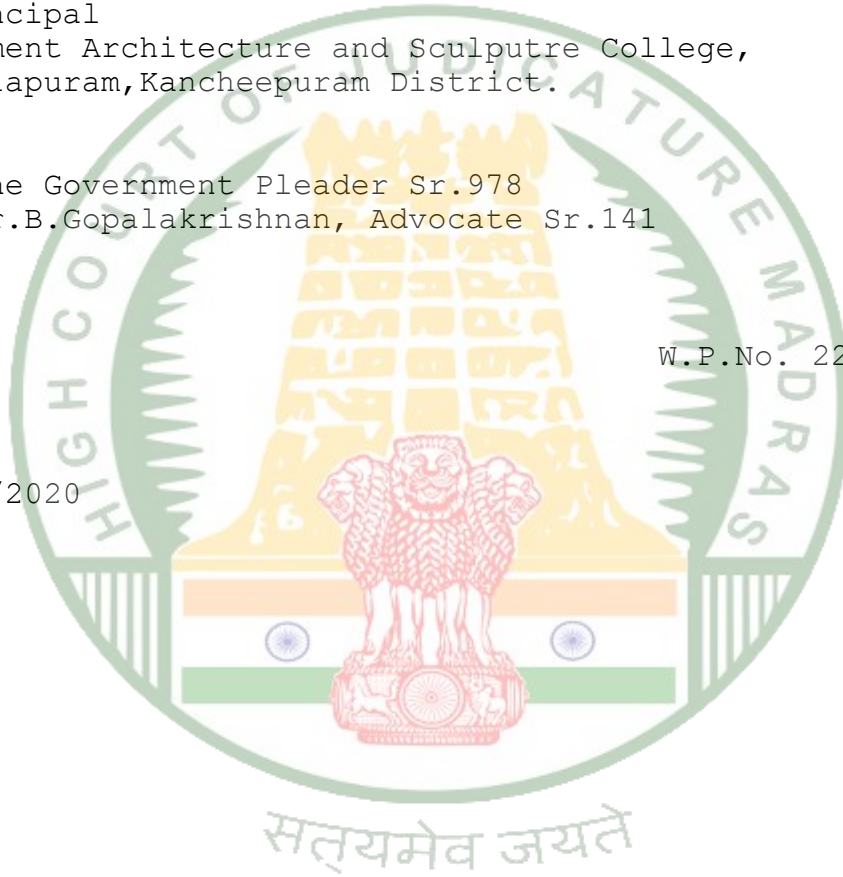
To

1. The Secretary to Government,
Tourism and Culture Department,
Secretariat, Chennai-600009.
2. The Commissioner of Art and Culture,
Egmore,
Chennai-600008.
3. The Principal
Government Architecture and Sculpture College,
Mammallapuram, Kancheepuram District.

+lcc to the Government Pleader Sr.978
+lcc to Mr.B.Gopalakrishnan, Advocate Sr.141

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jp[col]
srg 04/02/2020



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