

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.34301 of 2013

And

M.P.No.1 of 2015

1. Dr.Ambedkar Marumalarchi Kazhagam,
Rep. by its President
G.Nagalingam

2.M.Jayaraman
3.S.Ramesh
4.K.Rajeswari
5.K.Muhundan
6.M.Periyasamy
7.R.Suba
8.N.Rahini
9.S.Vinothkumar
10.R.Sudha
11.G.Durgadevi
12.E.Ramu
13.A.Surendiran
14.N.Sundararajan
15.K.Murugan
16.M.Jagan
17.Nishanthi
18.Nagaraj

... Petitioners

.Vs.

1. The Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Puducherry.

2. The Principal,
Pondicherry Engineering College,
Puducherry.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to give preference to the petitioners in the matter of appointment to various Group D posts like, Driver Gr.II, Driver Gr.III,

Mason, Security Guard, Helper and Sanitary Assistant in the 2nd respondent college as per the agreement reached in the chamber of the 2nd respondent on 16.09.1994 and consequential direct the 2nd respondent to appoint the petitioners 2 to 18 against the group D posts to which they are eligible and qualified with all consequentially benefits.

For Petitioners: M/s.M.Gnanasekar

For Respondents: Mr.Stalin Abhimanyu for R1

Mrs.N.Mala for R2

Special Government Pleader (Pondy)

O R D E R

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to give preference to the petitioners in the matter of appointment to various Group D posts like, Driver Gr.II, Driver Gr.III, Mason, Security Guard, Helper and Sanitary Assistant in the second respondent college as per the agreement reached in the chamber of the second respondent on 16.09.1994 and to consequentially direct the second respondent to appoint the petitioners 2 to 18 against the group D posts to which they are eligible and qualified with all consequential benefits.

2.The case of the petitioners is that the petitioners belong to Scheduled Caste Community and they were working as coolies and employees of the land owners whose lands were acquired by the Government for construction of Pondicherry Engineering College. In the meeting convened on 16.09.1994, the second respondent had agreed to appoint the local Scheduled Caste Community people, however, the petitioners were not given any appointment. Hence, this writ petition.

3.The learned Special Government Pleader (Pondy) appearing for the second respondent, on instructions, would submit that Pondicherry Engineering College has been upgraded as Technological University. She would further submit that if any vacancies arise in the last cadre posts, preference will be given to the petitioners subject to their eligibility. She would further submit that if any Notification is published, the members of Dr.Ambedkar Marumalarchi Kazhagam/ petitioner Association can very well participate in the selection process by availing preference.

4.The learned counsel appearing for the petitioners would submit that this Court may record the submissions made by the learned Special Government Pleader (Pondy).

5.The submissions made by the learned Special Government Pleader (Pondy) is recorded. Liberty is granted to the petitioners and other members of the petitioner Association, if any, to approach the second respondent as soon as any vacancy arises.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Puducherry.
2. The Principal,
Pondicherry Engineering College,
Puducherry.

+1cc to the Government Pleader, Sr.No.28314

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bp (o)
rr ii (08/10/2020)

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