



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.10.2020

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THE HON'BLE Mr. JUSTICE N.KIRUBAKARAN

AND

THE HON'BLE Mr. JUSTICE B.PUGALENDHI

W.P. (MD)No.13171 of 2020

N.Chakkaravarthi Kanna

.. Petitioner

Vs.

- 1.The Registrar General,
Madras High Court,
Chennai - 600 104.
- 2.The Registrar Administration,
Madras High Court,
Chennai - 600 104.
- 3.The Registrar (IT-cum-Statistics),
Madras High Court,
Chennai - 600 104.
- 4.The Principal District Judge,
District Court,
Pudukottai,
Pudukottai District.
- 5.The Principal District Judge,
District Court,
Sivagangai,
Sivagangai District.
- 6.The Deputy Registrar (Computers),
Madras High Court,
Chennai - 600 104.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in R.O.C.No.11353/2018/Comp3, dated 07.08.2018, on the file of the third respondent, quash the same as illegal and consequently, direct the respondents 3 to 5 herein to reconsider the claim of the petitioner and reinstate him in the post of System Officer/Assistant in any vacancies at any Courts at Tamil Nadu, within the time stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mr.D.Sivaraman



ORDER

(Order of the Court was made by N.KIRUBAKARAN, J.)

The petitioner, who was appointed as System Assistant for Subordinate Courts, situated at Tamil Nadu, on contract basis through a private Contractor, has to come this Court challenging the rejection of his claim for re-appointment, by way of filing the present Writ Petition.

2.Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel appearing for the respondents.

3.Though the learned counsel appearing for the petitioner would submit that the petitioner was served as System Assistant at Pudukottai District Court and Sivagangai District Court from the year 2010 to 2012 and similarly placed persons have been absorbed, it is evident from the representation made by the petitioner that he was a contract employee from the year 2010 to 2012 and thereafter, he left from the service and pursued his Engineering Degree and kept quiet till 2018 and thereafter only, he has approached to this Court by way of filing this Writ Petition stating that similarly placed persons have been absorbed. The Madras High Court Technical Manpower (Appointment and Conditions of Service) Rules, 2017, which came into force from 27.06.2017, prescribes qualification for Technical Manpower posts created under the National Policy and Action Plan for implementation of Information and Communication Technology in the Indian Judiciary and the post of Programmer sanctioned by the Government of Tamil Nadu. As on the date of enforcement of the said Rules, similarly placed persons, those who have been in service from 2010 onwards, have been absorbed. As far as the present petitioner is concerned, he left from the service in the year 2012 and he is in out of employment since 2018 and thereafter only, he filed a claim petition and that has been rightly rejected. Therefore, there is no question of disparity in this matter. Hence, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note :- In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcseervices/>



To

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+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-19137[F] dated 06/10/2020)

+1 CC to M/s.R.G. (SR-19190[F] dated 06/10/2020)

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