



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN
AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

Writ Appeal No.966 of 2021

1. The Director,
State Council of Educational and Research Training,
Tamil Nadu, (TNSERT)
DPI Compound, College Road,
Chennai 600 006.
2. The Joint Director,
State Council of Educational and Research Training,
Tamil Nadu, (TNSERT)
DPI Compound, College Road,
Chennai 600 006.
3. The Principal,
District Institute of Education and Training (DIET),
Kaliyampoondi,
Kanchipuram District 603 402.
... Appellants/1 to 3 Respondents
vs.
1. G.L.Gracy ...1st Respondent/Petitioner
2. The Correspondent,
Gnananodhya Teacher Training Institute,
No.1/60, Polwells Road, St Thomas Mount,
Chennai 600 016. ... 2nd Respondent/4th Respondent

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 28.10.2020 passed by this Court in W.P.No.11017 of 2020.

Prayer in W.P.No.11017 of 2020 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of certiorarified mandamus to call for the records relating to the order of the 3rd respondent made in Na.Ka.No.254/A7/2000 dated 20.05.2020 to quash the same and to consequently direct the respondents 1to 4 to forthwith approve the appointment of the petitioner as Junior Assistant w.e.f. 04.01.1999 and to extend all benefits including arrears of wages revision of



where the Statutory Regulation does not provide for such requirement or stipulation. That apart, the Writ Petitioner was initially appointed on 04.01.1999 and it was not during the period of ban and that, the ban on recruitment has nothing to do with the approval that was granted to the Writ Petitioner. The Writ Petitioner was appointed in the regular vacancy and the learned Single Judge, after going through the supportive materials including the records that were furnished before him, came to the conclusion that, the Writ Petitioner's appointment need to be approved without any restriction, with effect from 04.01.1999.

6. Hence, we find that, the order of the learned Single Judge setting aside the impugned order dated 20.05.2020, insofar as it restricts the benefit of approval only from 14.03.2013 till the date of retirement on 30.04.2013, need not be interfered with.

7. Though, there is much force in the contention of the learned Government Advocate appearing for the Appellants that, there is delay on the part of the Writ Petitioner in approaching this Court, we make it clear that, for the terminal benefits that may be granted to the 1st Respondent/Writ Petitioner, interest need not be paid.

8. Time granted by the learned Single Judge to the official Respondents therein, is extended by three months from the date of receipt of a copy of this judgment.

In fine, this Writ Appeal is dismissed. No costs. Consequently, connected C.M.P.No.5987 of 2021 is closed.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

(vm/aeb)

To

1. The Director,
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3. The Principal,
District Institute of Education and Training (DIET),
Kaliyampoondi,
Kanchipuram District 603 402.

+1cc to Mr.L.Chandrakumar, Advocate SR.No.48903

+1cc to Government Pleader SR.No.49448

W.A.No.966 of 2021

CP(CO)
GMY(18/10/2021)