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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.5844 of 2020

and

WMP.No.6851 of 2020

M.K.Kanakaraj

PR.No.J08317

Assistant Engineer / Branch Manager (Incharge)
Office of Tamil Nadu State Transport Coporation
Gobi Branch, Erode Regional Office,
Erode.

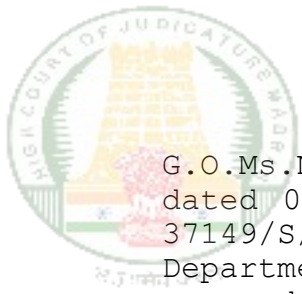
... Petitioner

Vs.

1. The Government of Tamil Nadu
Rep by its Secretary,
Trasnport Department
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Head Office,
Coimbatore.
3. The General Manager,
Tamil Nadu State Transport Corporation
Erode Region,
Erode.
4. The Chairman,
University Grant Commission,
Bahadurshah Daffar Marg,
New Delhi - 110 002.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to promote the petitioner in the post of Assistant Manager by prefixing his service seniority by entering the petitioner's educational qualification in the service register i.e. November 2012 based on G.O.Ms.No.39 Personnel and Administrative Reforms(s) Department dated 30.04.2014,



G.O.Ms.No.65 Personnel and Administrative Reform(s) Department dated 02.07.2014 Clarification letter dated 10.11.2014 in Letter 37149/S/2014-1 issued by Personnel and Administrative Reform(s) Department and the letter dated 03.10.2019 issued by the 4th respondent with subsequent promotions all service and monetary benefits to the petitioner within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr.R.Mohanaraja
For Respondent No.1 : LSM Hasan Fizal
Government Advocate

For Respondent Nos.2&3 : Mr.A.Sundaravadanan

For Respondent No.4 : Mr.V.Sudha
Standing Counsel

ORDER

The fourth respondent has already clarified that Vinayaka Machinery foundation research, Salem, Tamil Nadu was entitled to run Bachelor of Engineering (Part time programme) through regular mode with the approval of AICTE wherever required and such Degrees, Diplomas, etc., of Bachelore of Engineering (Part time) programme awarded to the students was charged for pursuing higher Education, Employment and for all other purposes. The position has been re-affirmed by the fourth respondent in their counter affidavit filed in this writ petition. Para 7 of the counter reads as follows:-

" It is respectfully submitted that subsequent to the above judgment and order of the Honourable Supreme Court a clarification was issued by the UGC vide its letter dated 03.10.2019 that Vinayaka Mission's Research Foundation, Salem Tamil Nadu is entitled to run Bachelor of Engineering (part-time) programme through regular mode with the approval of AICE and such decrees) awarded to students are valid for pursuing further education employment and all other purposes. "

2. Considering the above and in the light of G.O.M.S.No.39 Personnel and Administrative Reforms Department dated 30.04.2014, G.O.Ms.65 of Personal and Administrative Reforms Department on 02.07.2014 and clarification of the fourth respondent dated 10.11.2014, this Writ Petition is disposed of by directing the second and third respondents to consider



the representation of the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. Consequently connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu
Transport Department
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Head Office,
Coimbatore.
3. The General Manager,
University Grant Commission
BahadurshaDafarMarg
New Delhi - 110 002.
4. The Chairman,
University Grant Commission,
Bahadurshah Dafar Marg,
New Delhi - 100 002.

+1cc to the Government pleader Sr.47517
+1cc to Mr.B.R.Mohana Raja, Advocate Sr.47623
+1cc ot Mr.V.Sudha, Advocate Sr.47356

W.P.No.5844 of 2020
and
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pa[co]
srg 20/10/2021