



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WP No.23651 of 2021

and

WMP No.24899 of 2021

A.Mahendiran

.. Petitioner

Vs.

1. Union of India,
Rep. by its Secretary,
Ministry of Social Justice and Empowerment,
22, Mahadev Road, New Delhi 110 011.
2. The Secretary,
Department of Empowerment of Persons
with Disabilities (Divyanjan), Room No:524(B-III)
Antyodaya Bhawan, New Delhi 110 003.
3. The Joint Secretary,
Department of Empowerment of Persons
with Disabilities (Divyanjan),
Room No:527(B-III), Antyodaya Bhawan,
New Delhi 110 003.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to withdraw the proposal of clustering the National Institute for Empowerment of Persons with Multiple Disabilities (NIEPMD), Chennai with National Institute for the Empowerment of Persons with Intellectual Disabilities (NIEPID), Secunderabad and to preserve status quo of National Institute for Empowerment of Persons with Multiple Disabilities (NIEPMD), Chennai as it is.

For the Petitioner : Mr.S.R.Sankareshwaran

For the Respondents : Mr.V.Chandrasekaran,
Special Panel Counsel



ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

WEB COPY

The petition has been filed by a society functioning in Chennai. The grievance of the petitioner is that a central government unit in Chennai that gives training to deal with persons with multiple disabilities is being merged with the unit in Secunderabad which imparts training to persons to deal with persons with intellectual disabilities.

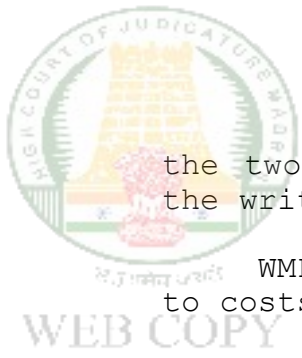
2. When the matter was received on November 9, 2021, the Union was required to indicate whether it proposes to abandon the activity now conducted in Chennai or whether the merged unit would result in both units having training facilities to deal with persons with multiple disabilities and also persons with intellectual disabilities.

3. Mr.V.Chandrasekaran, learned counsel appearing for the Union, hands over printed instructions issued by the Ministry of Social Justice and Empowerment. As to the state of the merger, the written instructions indicate that there is no proposal for merger of NIEPMD, Chennai with NIEPID, Secunderabad, though the department is considering formation of an "Intellectual Disability based Cluster" consisting of NIEPMD, Chennai and NIEPID, Secunderabad.

4. The instructions, further, reveal that the department proposes to change the governing structure and instead of the two institutes having separate executive council or governing council, it is proposed to have a common administrative authority and prepare a common annual report. The proposal is still under consideration.

5. As to the specific query as to whether the training unit pertaining to multiple disorder would be discontinued or disbanded, the instructions indicate that "Both institutions will continue to provide services at their present place. It is envisaged that the quality of services will further improve consequent upon clustering." The only inference that can be drawn from the instructions is that the training imparted to persons for dealing with multiple disabilities in Chennai will not be discontinued. Accordingly, the apprehension expressed in the petition may be without basis.

6. WP No.23651 of 2021 is disposed of by making over a copy of the written instructions as handed over by Mr.Chandrasekaran to advocate for the petitioner. It is hoped that the Union and



the two units abide by the representation as made to court via the written instructions.

WMP No.24899 of 2021 is closed. There will be no order as to costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

sra

To:

1. The Secretary to Union of India,
Ministry of Social Justice and Empowerment,
22, Mahadev Road, New Delhi 110 011.
2. The Secretary,
Department of Empowerment of Persons
with Disabilities (Divyanjan), Room No:524(B-III)
Antyodaya Bhawan, New Delhi 110 003.
3. The Joint Secretary,
Department of Empowerment of Persons
with Disabilities (Divyanjan),
Room No:527(B-III), Antyodaya Bhawan,
New Delhi 110 003.

WP No.23651 of 2021

KSM(CO)
SU(22/11/2021)