



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 12.02.2021**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**AND**

**THE HONOURABLE MRS.JUSTICE S.KANNAMMAL**

**W.A(MD)No.1159 of 2012**

**and**

**M.P(MD)Nos.1 & 2 of 2012**

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P.Sumathi

... Appellant/Petitioner

Vs.

1.The Secretary,  
Ministry of Human Resource Development,  
Government of India,  
New Delhi.

2.The Commissioner,  
Director of Technical Education,  
Guindy, Chennai - 25.

3.The Professor of Rural Development,  
National Institute of Technical Teachers'  
Training and Research,  
Tharamani, Chennai - 113.

4.The Principal i/c & Chief Co-ordinator,  
Community Development through Polytechnics (CDTP),  
Tamil Nadu Polytechnic College,  
Madurai - 625 011.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order, dated 08.10.2012 made in W.P(MD)No.13054 of 2012 on the file of this Court.

Prayer in WP(MD). 13054/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS, directing the Principal i/c & Chief Co-ordinator, Community Development through Polytechnics (CDTP), Tamil Nadu Polytechnic Collge, Madurai the 4th Respondent herein to permit the Petitioner to work as Junior Statistical Consultant in the Scheme of Community Development through Polytechnics till the completion of the Scheme by the 1st Respondent herein and also as per the Operation Plan approval 2012-2013 dated 26-04-2012 by the 3rd Respondent herein.



For Appellant : Mr.A.V.Arun  
For RR 1 to 4 : Mr.M.Murugan,  
Government Advocate.

**JUDGMENT**

**(Judgment of the Court was delivered by  
PUSHPA SATHYANARAYANA, J.)**

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This Writ Appeal is directed against the order, dated 08.10.2012 passed in W.P(MD)No.13054 of 2012.

2.The said Writ Petition was originally filed by the appellant/writ petitioner for a Writ of Mandamus, to direct the Principal-the fourth respondent to permit the petitioner to work as Junior Statistical Consultant in the Scheme of Community Development through Polytechnics till the completion of the Scheme by the first respondent and also as per the operation plan approval 2012-2013 dated 26.04.2012 by the third respondent.

3.The learned Single Judge, by order, dated 08.10.2012, dismissed the Writ Petition on the ground that merely because under the Scheme, the salary sanctioned to the employees appointed on contract basis does not give any right to the appellant to approach this Court for issuance of a Writ in the nature of Mandamus.

4.When the matter is taken up for hearing today, the learned counsel appearing for the appellant submitted that the Scheme namely, Scheme of Community Development through Polytechnics (CDTP), was only for a period of 10 years and that the said period is over and hence, as of now, the appellant cannot be given any relief and further submitted that nothing remains to be adjudicated in this Writ Appeal.

5.In view of the submission made by the learned counsel for the appellant, the Writ Appeal is dismissed as infructuous. However, in the event, if any other new Scheme is introduced and if the appellant is otherwise found eligible, it is open to the appellant to apply for the same. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

To

- 1.The Secretary,  
Ministry of Human Resource Development,  
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New Delhi.
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Tamil Nadu Polytechnic College,  
Madurai - 625 011.

+1 CC to Mr.A.V.ARUN, Advocate  
( SR-4734[F] dated 12/02/2021 )

+1 CC to SGP ( SR-5105[F] dated  
15/02/2021 )

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