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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.79 of 2022

K.A.Sathyannarayanan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by the Secretary,
Department of School Education,
Fort.St.George, Chennai.

2. The Director of Public Libraries,
Government of Tamil Nadu,
Office of the Director of the Public Libraries,
Anna Salai, Chennai 600 002.

3. The District Library Officer,
Salem District, Salem.

... Respondents

PRAYER:

This Writ Petition has been filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the third respondent to declare the completion of probation by the petitioner and to regularize his service from his initial date of appointment on 27.02.2013 as Village Librarian as he has completed the required period of probation of two years as per G.O.(1D).No.156, dated 10.09.1998 issued by the first respondent based on the representation of the petitioner dated 15.09.2021.

For Petitioner : Mr.M.Purushothaman

For Respondents: Mrs.P.Rajarajeswari
Government Advocate

O R D E R

The relief sought for in the writ petition is for issuance of Mandamus to direct the third respondent to declare the completion of probation by the petitioner and to regularize his service from his initial date of appointment on 27.02.2013 as



Village Librarian as he has completed the required period of probation of two years as per G.O.(1D).No.156, dated 10.09.1998 issued by the first respondent, based on the representation of the petitioner dated 15.09.2021.

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2. Brief facts of the case:

The petitioner has been working as a Village Librarian from 27.02.2013 but his probation has not been declared and his service has not been regularized. Hence, he has made several representations, last of which was dated 15.09.2021 to the respondents, but the same has not been considered. Hence the writ petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner was appointed as a Village Librarian on 27.02.2013 and he has successfully completed his probation period. Even after the nine years service of the petitioner, the respondents have not regularized the service of the petitioner and hence, the petitioner has made a representation dated 15.09.2021 to the respondents to regularize his service, however, no order has been passed. Further, he would submit that as per G.O.(1D).No.156 dated 10.09.1998, the petitioner is eligible for declaration of his probation and the relevant portion of the G.O., is extracted hereunder:

"Probation:-

Every person appointed to the post by direct recruitment or by transfer from part-time Librarians shall, from the date on which he joins duty as Village Librarians, be on probation for a total period of two years on duty within a continuous period of three years."

Hence, he seeks indulgence of this Court to consider the said representation of the petitioner by the respondents within stipulated time period.

4. The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner dated 15.09.2021 will be considered by the third respondent on merits and in accordance with law.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. On considering the above said facts and circumstances of the case and the submissions made by both the parties, without expressing any opinion on merits, this Court is inclined to direct the third respondent to consider the petitioner's representation dated 15.09.2021 on merits and in accordance with law as early as possible preferably within a period of eight



weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

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Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Government of Tamil Nadu,
Department of School Education,
Fort.St.George, Chennai.
2. The Director of Public Libraries,
Government of Tamil Nadu,
Office of the Director of the Public Libraries,
Anna Salai, Chennai 600 002.
3. The District Library Officer,
Salem District, Salem.

+lcc to Mr.M.Purushothaman, Advocate, S.R.No.29275

W.P.No.79 of 2022

SSI (CO)
CT 27/05/2022