



W.P.No.15106 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.15106 of 2010

J.Mohan

... Petitioner

Vs.

1. The Indira Gandhi National Centre for Arts,
Rep.by its Under Secretary,
Sustradhara Division,
G.V.Mess, Janpath,
New Delhi-110 001.

2.The Curator,
Govt.Oriental Manuscripts Library and
Research Centre,
University of Madras Building,
Chepauk, Chennai-600 005.

3.The Librarian & HoD (KN),
The Indira Gandhi National Centre for Arts,
Sustradhara Division,
G.V.Mess, Janpath,
New Delhi-110 001.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the order dated 26.03.2009 in F.No.KNA/REP/3(2)/2004 of the 3rd Respondent herein and quash the same and consequently direct the Respondents herein to reinstate the Petitioner as a Senior Research Associate in the Respondent Centre and regularize his services with effect from 13.06.90 with all attendant benefits.

For Petitioner : Ms.S.Meenakshi
for Mrs.AL.Ganthimathi

For Respondents : Mr.C.Kulanthaivel
Senior Panel Counsel

ORDER

This Writ Petition is filed praying for issuance of a writ of Certiorarified Mandamus to call for the records relating to the order dated 26.03.2009 in F.No.KNA/REP/3(2)/2004 of the 3rd Respondent herein and quash the same and consequently direct the Respondents herein to reinstate the petitioner as a Senior Research Associate in the Respondent Centre and regularize his services with effect from 13.06.1990 with all attendant benefits.



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2. The petitioner was appointed as a Junior Fellow in the Respondent Centre on 13.06.1990 to work in the Micro Filming Project of Indira Gandhi National Centre for Arts (IGNCA) at Govt. Oriental Manuscripts Library and Research Centre, Chennai and was also directed to assist the Honorary Director, Adyar Library Research Centre in the preparation of data sheets. The initial appointment was made for a period from 25.06.1990 upto June 1991. Thereafter, there has been periodical extension of the petitioner's services.

3. It is submitted by the learned counsel for the respondents that the appointment of the petitioner was made on the basis of the Project and on completion / Termination of Project, the question of regulation may not arise.

4. Today, when the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that arrears amounts which are due has not been paid to the petitioner and it is submitted that he would confine his



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prayer for a direction to the respondent to clear the salary arrears from January 2006.

5. It is submitted by the learned counsel for the respondents that if the petitioner makes any representation, the same will be considered and arrears amount, if any would be paid within a period of six weeks from the date of receipt of a copy of his representation, the learned counsel for the petitioner agreed to the above suggestion.

6. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

7. In view of the above submissions made by the learned counsel for the respondents, this writ petition is disposed of and petitioner may file a representation to the respondents within a period of four weeks from the date of receipt of a copy of this order. On receipt of such representation from the petitioner, the same shall be considered by the respondents and orders be



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passed on merits and in accordance with law after providing a reasonable opportunity of hearing to the petitioner within a period of six weeks thereafter. No costs.

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Index : Yes / No

Speaking Order : Yes / No

ssn

To

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MOHAMMED SHAFFIQ, J.,

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