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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.5411 OF 2022

R.Pasupathy

... Petitioner

.Vs.

1. The Chief Secretary-cum-Chairman,
Pandit Jawaharlal Nehru College of
Agriculture and Research Institute Society,
Government of Puducherry,
Secretariat,
Puducherry - 605 001.
2. The Secretary to Government,
Agricultural Department,
Government of Puducherry,
Puducherry.
3. Pandit Jawaharlal Nehru College of
Agriculture and Research Institute,
Rep. by its Dean,
Nedunkadu, Karaikal,
Puducherry.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to absorb the petitioner to the post of Assistant Librarian by considering the petitioner's representation dated 29.12.2021 within a time frame fixed by this Court.

For Petitioner : Mr.K.Sasindran

For Respondents : MS.D.Djearany
Government Advocate
(Puducherry)



O R D E R

By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

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2. This writ petition has been filed seeking to issue a Writ of Mandamus directing the respondents to absorb the petitioner to the post of Assistant Librarian by considering his representation dated 29.12.2021.

3. The case of the petitioner in brief:

The petitioner was engaged as Daily Rated Causal Labourer in the 3rd respondent Institution on 08.10.1991. Subsequently, he was appointed as Hostel Watchman in the aforesaid institution and the said post was confirmed vide order dated 09.02.2004. Generally the respondents used to fill up the vacancies available in the institution by absorbing suitable in-service candidates in all categories. The post of Assistant Librarian fell vacant and the petitioner is the only eligible in-service candidate available in the 3rd respondent. The petitioner made representations to the respondents, but it was not considered. Again he sent representation on 07.07.2021 and reminder on 29.12.2021 seeking absorption. However, there is no response from the respondents. Hence he filed this petition.

4. The learned Government Advocate (Puducherry) submitted that, the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed, in accordance with law, within a time frame as fixed by this court.

5. In view of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows:

i) The third respondent is directed to consider the representation of the petitioner dated 29.12.2021, and pass orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ata/mst

To

1. The Chief Secretary-cum-Chairman,
Pandit Jawaharlal Nehru College of
Agriculture and Research Institute Society,
Government of Puducherry, Secretariat,
Puducherry - 605 001.
2. The Secretary,
Agricultural Department,
Government of Puducherry,
Puducherry.
3. The Dean,
Pandit Jawaharlal Nehru College of
Agriculture and Research Institute,
Nedunkadu, Karaikal,
Puducherry.

+1cc to Mr.K.Sasindran, Advocate, S.R.No.16744
+1cc to the Government Pleader, S.R.No.16255

W.P.NO.5411 OF 2022

EV(CO)
PBS/22/03/2022