



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23515 of 2021

M/s. Aalim Muhammed Salegh
College of Industrial Training Centre,
Rep by its Secretary,
Mr. Segu Jamaludeen,
S/o.Mr. Seyed Mohamed Buhari,
Nizara Educational Campus,
Avadi-I.A.F, Chennai-600 055.

...Petitioner

vs.

1. The Director General of Employment & Training,
Ministry of Labour,
Sharam Shakthi Bhavan,
Rafi Marg,
New Delhi-110 001.

Now Changed as

The Director General of Training,
Ministry of MSDE,
Employment Exchange Building,
1st Floor, IARI Complex,
Library Avenue Road,
Pusa Complex, New Delhi.

2. The Director of Employment and Training,
Guindy, Chennai-32.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, is issue a Writ of Mandamus, directing the 1st respondent to issue National Trade Certificate to the 66 Students of the petitioner Institute who were issued with Provisional Certificates by the 2nd Respondent.

For Petitioner : Mr.S.R.R. Raaghavan

For Respondents : Mr. Thirumalaisamy



ORDER

The petitioner has filed this petition seeking issuance of Writ of Mandamus directing the 1st respondent to issue National Trade Certificate to the 66 Students of the petitioner Institute who were issued with Provisional Certificates by the 2nd Respondent.

2. Mr. Thirumalaisamy, takes notice for the respondents.

3. .The case of the petitioner is that the petitioner is the secretary of the college of Industrial Training Centre which was established in the year 1993 with a view to offer National Vocational Training Courses to the students for which the petitioner institute applied for affiliation for the 1st unit of said course in the year 1993 with the 1st respondent. However, after series of inspections, the petitioner's college was affiliated in the year 1997. While being so, the permission was granted to admit the students in the above said course during the years 1993-1995 & 1994-1996 in anticipation of affiliation by the 1st respondent. On the strength of the aforesaid permission, students were permitted to write All India Trade Test examinations in the year 1993, for which the provisional National Trade Certificates were also issued by the 2nd Respondent.

4. Such being the case, though the students of the said college during the years 1993 - 1996 came out successful in their examinations, till date, they could not get their National Trade Certificates registered. On the earlier occasion a Writ Petition in W.P.No.38340 of 2005 was filed before a learned single Judge of this Court by similarly placed persons, which was dismissed. However, the said order was challenged in W.A.No.801 of 2006 wherein the Division Bench of this Court had modified the said order on 07.08.2009 against which Special Leave Petition in S.L.P.No.3596 of 2020 was filed by the 1st respondent in the Hon'ble Apex Court and the same was dismissed confirming the order of the Division Bench of this Court. Thereafter, the petitioner made a representation dated 22.10.2019 to the respondents herein with regard to issuance of National Trade Certificates. However, till date the same has not been considered by the respondents. Hence, the present Writ Petition is filed seeking grant of relief to the petitioner , in line with the Judgement passed in W.A.No.801 of 2006.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 22.10.2019 and pass appropriate orders on the same in line with the judgement passed by this Court in



W.A.No.801 of 2006, within the time frame fixed by this Court.

6. Learned Government Advocate appearing for respondents submits that petitioner's representation will be considered and appropriate orders will be passed on the same in accordance with law within the time frame fixed by this Court.

7. Heard the learned counsel on the either side.

8. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the Respondents to consider the petitioner's representation dated 22.10.2019 and pass appropriate orders on the same in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

9. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Director General of Training,
Ministry of MSDE,
Employment Exchange Building,
1st Floor, IARI Complex,
Library Avenue Road,
Pusa Complex, New Delhi.

2. The Director of Employment and Training,
Guindy, Chennai-32.

+1cc to Mr.S.R.R. Raaghavan, Advocate, S.R.No.923

+1cc to Mr. Thirumalaisamy, Advocate, S.R.No.417

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PVS (CO)
CT 15/03/2022