



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31484 of 2016 and
W.M.P.Nos.27312 & 27313 of 2016 and
W.M.P.No.36278 of 2019

A.R.Muthu Saravanan

...Petitioner

-Vs-

1. The State of Tamil Nadu rep. By its
Principal Secretary to Government,
Tourism, Culture and Endowments (Cul 1-1)
Department, Secretariat, Chennai - 9.
 2. The Commissioner of Art and Culture,
Egmore, Chennai - 8.
 3. The Principal,
Government College of Architecture and Sculpture,
Mamallapuram, Kancheepuram District.
- ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records connected in Na.Ka.No.6228/B3/07, dated 09.04.2010 and Na.Ka.No.5575/B3/2010, dated 26.09.2011 passed by the 2nd respondent and G.O.(ID)No.5, Tourism, Culture and Endowments(Cul 1-1) Department, dated 12.01.2016 of the 1st respondent and quash the same and consequently direct the respondents to regularise the service of the petitioner in the post of Instructor (Computer) in the light of the similarly placed person's order of this Court dated 16.08.2010 in W.P.No.19462 of 2009 and was complied in G.O.(Ms). No.112, Tourism and Culture (Cul 1-1) Department, dated 03.08.2011.

For Petitioner : Mr.G.Elanchezhian

For Respondents: Mr.C.Selvaraj,
Additional Government Pleader

ORDER

The petitioner is aggrieved against the inaction on the part of the respondents to regularise his service in the post of



Instructor (Computer).

2 Today, when the matter is called, the learned counsel appearing for the petitioner would submit that since a sanctioned post has now become vacant, the third respondent had sent a recommendation to the second respondent herein vide letter No.1570/A/2010 dated 07.12.2021, seeking an order of regularisation of the petitioner in the appropriate post and the same is pending with the second respondent. The learned counsel would further submit that in view of the pendency of the present writ petition, the second respondent has not passed any order.

3 This Court is of the view that since a favourable recommendation has been made by the third respondent to the second respondent, the writ petition can be closed with a direction to the second respondent to consider the same.

4 In the light of the above observation, the second respondent herein shall pass orders based on the recommendation made by the third respondent vide proceedings in 1570/A/2010 dated 07.12.2021, without reference to its earlier orders in Na.Ka.No.6228/B3/07, dated 09.04.2010, Na.Ka.No.5575/B3/2010, dated 26.09.2011 and G.O.(ID)No.5, Tourism, Culture and Endowments(Cul 1-1) Department, dated 12.01.2016 on the file of the first respondent and the second respondent shall pass such orders within a period of four weeks from the date of receipt of a copy of this order .

5 With the above observations and directions, the Writ Petition stands ordered. Consequently connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

cgi

To

1. The Principal Secretary to Government,
Tourism, Culture and Endowments (Cul 1-1)
Department, Secretariat, Chennai - 9.
2. The Commissioner of Art and Culture,
Egmore, Chennai - 8.



3. The Principal,
Government College of Architecture and Sculpture,
Mamallapuram, Kancheepuram District.

WEB COPY

+1cc to M/s.G.Elanchezhiyam, Advocate, S.R.No.4618

+1cc to the Government Pleader S.R.No.4747

W.P.No.31484 of 2016 and
W.M.P.Nos.27312 & 27313 of 2016 and
W.M.P.No.36278 of 2019

PMK (CO)
SB (09/02/2022)