



WEB COPY



W.P.Nos. 17612, 17613 & 17614 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.Nos.17612, 17613 & 17614 of 2018

S.Venkatesan	
S/o.Sellamuthu	..Petitioner in W.P.No.17612/2018
P.Janaki,	
W/o.Paapusamy	..Petitioner in W.P.No.17613/2018
S.Rayappan,	
S/o.Santhanam	..Petitioner in W.P.No.17614/2018

Vs.

1. The District Collector, Perambalur District.	
2. The Director, State Adult Literary Mission Karkum Bharatham, D.P.I. Campus, College Road, Chennai – 600 006.	.. Respondents

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India for Writ of Mandamus, directing the respondents to consider the petitioner for the post of Tutor in equal qualification (Honorary Post) under the Tamil Nadu State Adult Literary Mission by considering the representations dated 14.12.2017 and 16.12.2017 respectively submitted by the petitioners.



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For Petitioners : Mr.M.C.Govindan
[in all W.Ps.]

For Respondents : Mr.R.U.Dinesh Raj Kumar
[in all W.Ps.] Additional Government Pleader

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these writ petitions are disposed of by this common order.

2. These petitioners were appointed on temporary basis as teaching staff through District Employment Exchange in a scheme called National Literary Mission (Saakshar Barat) i.e., in Tamil கற்கும் பாரதம், the salary was fixed by way of consolidated pay of Rs.2,000/- per month.

3. In that post they have been engaged for some time and they claimed that they are continuously engaged in the scheme and thereafter the scheme was closed, therefore, in order to give equal post as a Teacher in any scheme to be undertaken by the State Literary Mission or National Literary Mission, where the petitioners can be appointed, for which, each of the petitioners had given representations on 14.12.2017 and



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16.12.2017 respectively to the District Collector and the Director of School Education, since the representations have not been considered, they have approached this Court by filing the present writ petitions with the aforesaid prayer.

4. Heard Mr.M.C.Govindan, learned counsel appearing for the petitioner and Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader appearing for the respondents.

5. The learned Additional Government Pleader appearing for the respondents has submitted that, the scheme, under which, they had been temporarily engaged as Teachers has come to an end by 31.03.2018 and thereafter, there was no new Adult Education Scheme implemented at present in the State of Tamil Nadu, therefore, the plea raised by the petitioners to consider their candidature for appointment or engagement in any such scheme or post being undertaken by the Tamil Nadu Literary Mission Authority or National Literary Mission Authority has not been considered and hence the prayer cannot be acceded to, he contended.



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6. I have considered the said submission made by the learned counsel appearing for both sides.

7. In the counter affidavit filed by the second respondent in W.P.No.17612 of 2018, the following averments has been made:

“ 6. With regard to the averments contained in para No. 6 of the affidavit, the Writ Petitioner averred for the appointment to the post of Tutor in equal qualification under the scheme. It is submitted that there is no such scheme implemented with Tutor post. It is also submitted that the tenure of the “Saakshar Bharat” scheme has been ended on 31.03.2018 and there is no new Adult Education Scheme implemented at present in the State of Tamil Nadu.

7. As regard to the prayer of the writ petitioner, this respondent herein is respectfully submitted that petitioner was appointed on honorarium based temporary post (Preraks) by the District Level Committee under the Chairmanship of the concerned District Collector according to the guidelines of the scheme called “Saakshar Bharat” and the tenure of this scheme has already been ended on 31.03.2018. At present, there is no new Adult Education Scheme implemented at under the Tamil Nadu Literacy Mission Authority and there is no such post of



Tutor in equal qualification (honorary post) under the Tamil Nadu Literacy Mission Authority. So, it is humbly prayed that this Hon'ble Court may be pleased to dismiss the writ petition as devoid of merits and thus render justice."

8. As per the said averment, the scheme implemented already come to an end on 31.03.2018, thereafter, no such scheme is being implemented or no such proposal is available with the Government especially under the Tamil Nadu Literacy Mission Authority and therefore, there is no scope for appointing these people or engaging them in the post of Teacher with equal qualification under the Tamil Nadu Literacy Mission as sought for by them in their respective representations.

9. In that view of the matter, this Court is of the view that the prayer sought for in these writ petitions cannot be granted. Hence, these writ petitions are liable to dismissed, accordingly, these writ petitions are dismissed. However, it is open to the respondents that, in future, if any, new scheme is implemented, wherein, if the candidature of the petitioners can be considered based on their qualification, that kind of consideration can be shown against the petitioners.



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WEB COPY With these observations, these writ petitions are dismissed accordingly. No Costs.

18.08.2022

Index : Yes/No
Internet: Yes/No
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To

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Perambalur District.
2. The Director,
State Adult Literary Mission Karkum Bharatham,
D.P.I. Campus, College Road,
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R.SURESH KUMAR.J,

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