



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.16187 of 2020

P. Govindarajan

... Petitioner

vs.

1. The District Collector,
Collectorate Office,
Dharmapuri - 636 704.
2. The Principal,
Government Engineering College,
Dharmapuri - 636 704.
3. The Director,
Technical Educational Department,
Chennai - 600 025.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the Petitioner's representation dated 28.01.2019 by appointing the Petitioner in a permanent post in the second respondent Government Engineering College, Dharmapuri as like one Mr.Murugan brother of Narayanasamy.

For Petitioner : Mr.S.Sairaman

For Respondents : Mr.M.Bindran
Additional Government Pleader

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 28.01.2019 by appointing the petitioner in a permanent post in the 2nd respondent's Government Engineering College, Dharmapuri as like one Mr.Murugan brother of Narayanasamy.



2. On instructions from the Commissioner of Technical Education, the learned Additional Government Pleader appearing for the respondents submitted that one S.Narayanasamy, who was given a permanent job as Pump House Operator is not acceptable. According to the instructions of the Commissioner of Technical Education, the basic qualification for the post of Pump House Operator is I.T.I. Certificate. He further submitted that one S.Murugan is one of the applicants for the post of Pump House Operator. He had completed I.T.I. Fitter Trade and also had experience in T.V.S. Company. Since, he has satisfied all the requisite qualification for the said post and as per the rules, he was selected for the post of Pump House Operator and issued the appointment order to the aforesaid S.Murugan and he joined duty in the said post on 04.05.2018. But he has not produced any 'Priority Certificate' at the time of recruitment process. Therefore, according to the petitioner that the aforesaid S.Murugan was appointed only in accordance with the rules.

3. As alleged by the petitioner that he seek priority category under the Government Order in G.O. Ms. No.188, Personnel and Administrative Reforms (Personal - P) Department, dated 28.12.1976, wherein the members of a family whose lands have been acquired for Government purposes would be given preference in employment subject to the condition that they were dependant for their livelihoods primarily or wholly on the lands acquired. The father of the petitioner M.Periyasamy and S.Narayanasamy have voluntarily donate the land to set a path to Government College of Engineering, Chettikkarai, Dharmapuri. Therefore, the petitioner would not entitle to come under the priority category.

4. If the petitioner has satisfied that he has obtained priority certificate from the authority concerned and already his name was registered under the priority category as per the Government Norms, it is open to the respondents to consider the petitioner's application in accordance with the norms, if there is any vacancies in the 2nd respondent/college as stated in the instructions, if otherwise satisfied the rules.

5. In view of the above, this Court is accepting the stand taken by the respondents in the instructions of the Commissioner of Technical Education, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



dm

To

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Dharmapuri - 636 704.
2. The Principal,
Government Engineering College,
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+1cc to Mr.S.Sairaman, Advocate, S.R.No.20967
+1cc to the Government Pleader, S.R.No.21043

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MG[co]
NSK 13/04/2022