



W.P.No.30239 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30239 of 2022 &
W.M.P.No.29670 of 2022

P.Vijay

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Higher Education Department,
Fort St. George, Secretariat, Chennai - 600 009.

2.The Director of Technical Education,
Guindy, Chennai - 600 025.

3.The Principal,
Government College of Engineering,
Salem - 636 011.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to allow the petitioner to continue in service in the post of Lab Assistant on temporary basis on par with other similarly placed persons working in the basic service with all consequential and other attendant benefits, in consideration of the representation submitted by the petitioner dated 13.07.2022, within a time



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frame to be fixed by this court.

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For Petitioner ... Mr.G.Sankaran
For Respondents ... Mr.V.Manoharan
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to allow the petitioner to continue in service in the post of Lab Assistant on temporary basis on par with other similarly placed persons working in the basic service with all consequential and other attendant benefits, based on the petitioner's representation dated 13.07.2022 within a time frame to be fixed by this Court.

2. Mr. V.Manoharan, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal in the admission stage itself.

3. According to the petitioner, he was earlier working on temporary basis as Lab Assistant with the third respondent from 01.07.2019 onwards.



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However, his service has been arbitrarily dispensed with from 01.06.2022.

According to the petitioner, similarly placed persons were allowed to continue in service in the post of Lab Assistant on temporary basis, however, the petitioner has been discriminated. In such circumstances, he has given a representation on 13.07.2022 requesting the respondents to allow him to continue in service in the post of Lab Assistant on temporary basis on par with other similarly placed persons. Since the representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.V.Manoharan, learned Special Government Pleader appearing for the respondents.

5. No prejudice would be caused to the respondents, if the petitioner's representation dated 13.07.2021 as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 13.07.2022



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requesting to allow him to continue in service in the post of Lab Assistant on temporary basis on par with other similarly placed persons within a period of eight weeks from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.11.2022

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Index: Yes/ No

Speaking Order/Non-speaking Order



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To

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Higher Education Department,
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Guindy, Chennai - 600 025.
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ABDUL QUDDHOSE, J.

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