



WEB COPY



W.P.No.31542 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.31542 of 2022

P.Shanmugam

... Petitioner

Versus

1. Union of India,
By its Secretary & Chairman of Bharathiyar Palkalaikoodam,
Ministry of Art and Culture,
Government of Puducherry,
Puducherry - 605 001.

2. The Member-Secretary,
Bharathiyar Palkalaikoodam,
Cuddalore Main Road,
Ariyankuppam,
Puducherry-605 007

.... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the first respondent to consider the requisition of the petitioner dated 02.03.2022 and lastly on 09.11.2022, evaluate the same for the regularisation of petitioner's post as Thavil Instructor in the 2nd respondent Institution by following the Rules for recruitment approved in the 25th Governing Body Meeting dated 27.12.2016 within a period as may be specified by this Court.

For Petitioner : Ms.Bhuvaneswari
For Respondents : Ms.G.Djearany
Government Advocate
For R.1



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ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to pass final orders on the petitioner's representation dated 02.03.2022, followed by his reminder representation dated 09.11.2022, seeking for regularisation of his post as Thavil Instructor in the second respondent Institution by following the Rules for recruitment approved in the 25th Governing Body meeting dated 27.12.2016 within a time frame to be fixed by this Court.

2. The petitioner's grievance is that even though he has worked for more than 15 years as Thavil Instructor, his service has not been regularised despite the fact that as per Rules for recruitment approved in the 25th Governing Body meeting dated 27.12.2016 of the respondents, the petitioner is entitled for regularisation. The petitioner has given a representation on 02.03.2022 followed by a reminder dated 09.11.2022 for the said purpose. Since the representations have not been considered till date, the petitioner has filed this writ petition.

3. Heard Ms.Bhuvaneswari, learned counsel for the petitioner and Ms.G.Djearany, learned Government Advocate accepts notice on behalf of the first respondent. By consent of both the parties, the main writ petition has been



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taken up for final disposal.

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4. No prejudice would be caused to the respondents if the petitioner's representations, referred to supra, are considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representations dated 02.03.2022 and 09.11.2022, seeking for regularisation of the post as Thavil Instructor in the second respondent Institution by following the Rules for recruitment approved in the 25th Governing Body Meeting dated 27.12.2016 within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

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sr
Index: Yes/No
Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.

sr

To

- 1.The Secretary & Chairman of Bharathiyar Palkalaikoodam,
Union of India,
Ministry of Art and Culture,
Government of Puducherry,
Puducherry - 605 001.
2. The Member-Secretary,
Bharathiyar Palkalaikoodam,
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