



WEB COPY



W.P. No. 8027 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8027 of 2023

M.Veeramuthu

... Petitioner

-VS-

1. The State of Tamilnadu
Rep. by its Secretary
Higher Education Department
Secretariat, Chennai – 600 009.
2. The Director of Technical Education
The Directorate of Technical Education
Chennai – 25.
3. The Registrar
Annamalai University
Annamalai Nagar
Chidambaram.
4. The State Commissioner
Welfare of the Differently abled
No.5, Kamarajar Salai
Lady Wellington College Campus
Chennai – 600 005.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider the representation made by the Petitioner dated 18.07.2022 seeking to repost him either in Annamalai University itself or in any other college /Department in Cuddalore District as per Letter (Ms) No. 92/S/09 dated



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22.07.2009 Personnel and Administrative Reforms Department considering his health condition within a time frame fixed by the Court.

For Petitioner : Mr. K.C.Karl Marx
For Respondents : Mrs. R.Anitha (R1, R2 and R4)
Special Government Pleader
Mr. Godson Swaminath (R3)

ORDER

Heard Mr. K.C.Karl Marx, Learned Counsel for the Petitioner, Mrs. R.Anitha, Learned Special Government Pleader, who takes notice for the First, Second and Fourth Respondents, and Mr. Godson Swaminath, Learned Counsel, who takes notice for the Third Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 18.07.2022 to post him either in Annamalai University or in any other College or Department in Cuddalore District as per Letter (Ms) No. 92/S/09 Personnel and Administrative Reforms Department dated 22.07.2009 from the Chief Secretary to Government of Tamil Nadu, considering his health condition, but as it did not evoke any response, he has file this Writ Petition.



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3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 18.07.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and
- (v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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In the result, the Writ Petition is disposed on the aforesaid terms. No

costs.

16.03.2023

Maya

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary
Higher Education Department
Secretariat, Chennai – 600 009.
2. The Director of Technical Education
The Directorate of Technical Education
Chennai – 25.
3. The Registrar
Annamalai University
Annamalai Nagar
Chidambaram.
4. The State Commissioner
Welfare of the Differently abled
No.5, Kamarajar Salai
Lady Wellington College Campus
Chennai – 600 005.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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