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W.P.No.16194 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16194 of 2022

C.Suresh Kumar

... Petitioner

Vs.

1.The Principal,
Government College of Technology,
Thadagam Salai,
Coimbatore-641 013.

2.The Head of the Department,
Department of Physics,
Government College of Technology,
Thadagam Salai,
Coimbatore-641013.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to reinstate the petitioner into service in the 1st respondent College as non-teaching staff of system and Network Administration in the Department of Computer Science and Engineering.

For Petitioner :	Mr.M.Velmurugan
For Respondents :	Mr.M.Alagu Gowtham, Government Advocate

ORDER

This Writ Petition has been filed to direct the 1st respondent to reinstate the petitioner into service in the 1st respondent College as non-



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teaching staff of System and Network Administration in the Department of
Computer Science and Engineering.

2.The contention of the learned counsel for the petitioner is that initially, the petitioner was appointed on temporary basis as network administrator in the 1st respondent College on 02.02.2010 based on the recommendation of the 2nd respondent and thereafter, he was recommended for the post of System and Network Administrator in the Department of Computer Science and Engineering and Controller of Examination on a daily wage basis. Such being the position, suddenly the 1st respondent terminated the petitioner from the service on 30.12.2020 without any notice. In the year 2018, the 2nd respondent had conducted interview for the post of Lab Assistant and despite the petitioner participated in the interview, he was rejected. In this regard, the petitioner has given representation on 19.04.2021 to the respondents, however, the same has not been considered. Hence, seeks direction of this Court.

3.The counter has been filed by the 1st respondent stating that the petitioner being the temporary staff of the college was illegally participated



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in the college tenders through his family members. The tender bids were being uploaded from the college system i.e., using college IP address. The petitioner has participated in the tenders floated by the Government College of Technology on behalf of his wife and his mother and has submitted 39 bids totally from the College Computer IP Address. After getting the explanation from the petitioner, he was terminated from the college immediately for his misconduct.

4.On perusal of the entire materials, particularly, the typed set filed by the learned counsel for the petitioner, it is seen that the petitioner was not absorbed to any post of the sanctioned post in the 1st respondent College and he had been working on contract basis as System and Network Administration in the Department of Computer Science and Engineering. It also appears that he is only a contract labour and serious allegation has been raised against him for illegally participating in the college tenders through his family members, due to such act, he was terminated from the service.

5.Even assuming that the petitioner was terminated from the service illegally, his remedy lies elsewhere, but not by way of Writ Petition.



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Hence, the petitioner, by way of Mandamus, cannot seek a direction for reinstatement.

6. Accordingly, I do not find any merit in this Writ Petition and the same is liable to be dismissed and, is dismissed. No costs.

19.09.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

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N.SATHISH KUMAR, J.
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