



W.P.No.33578 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33578 of 2023

T. Thangasamy

... Petitioner

Vs.

1.State of Tamil Nadu
rep.by the Secretary,
Department of Law,
Secretariat,
Chennai - 600 009.

2.The Director of Legal Studies,
Kilpauk,
Chennai - 600 010.

3.The Principal,
Chennai Dr.Ambedkar Government Law College,
Pudupakkam.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to extend the benefit of G.O.Ms.No.354, Law (LS), dated 22.06.2023 by regularising the service of the petitioner for which he has submitted representations dated 18.07.2023 and 26.08.2023.



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For Petitioner : Mr.R.Malaisamy
for Mr.C.Prem Kumar

For Respondents : Mr.L.S.M. Hasan Fizal
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to extend the benefit of G.O.Ms.No.354, Law (LS), dated 22.06.2023 by regularising the service of the petitioner for which he has submitted representations dated 18.07.2023 and 26.08.2023.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents. With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.

3.The brief facts of the case is that the petitioner is qualified in M.A. English Literature by regular course and M.L., Crime and Tort. He joined



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as a part time Lecturer in the year 1997-1998 at Dr.Ambedkar Government Law College, Chennai, along with other part time Lecturers, like C.Paranthaman and K.S.Begum, etc., After attaining the age of superannuation, the petitioner was appointed as the guest faculty at Dr.Ambedkar Government Law College, Chennai. Thereafter, the said College was shifted to two different places at Pudupakkam and Pattarai Perumpudur. The petitioner was appointed as English Teacher, since he is an M.A., in English Literature and served for 1 1/2 years. At present, the petitioner is giving lectures and taking classes at SOEL, since he is fond of teaching. I am also a practising Advocate for a period of 40 years.

4.The grievance of the petitioner is that the petitioner along with other part time Lecturers of 1997 batch, and some seniors and juniors have joined in the year 1998 and prayed for regularisation of the appointment as part time Lecturers with all attendant benefits. Thereafter, Writ Petitions filed by C.Paranthaman and others including the petitioner were dismissed by an order dated 07.01.2011. The petitioner learnt that C.Paranthaman and



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others filed Writ Appeals and the same were allowed by an order dated 19.06.2013 and 08.07.2013, respectively, Thereafter, the respondents filed SLP before the Hon'ble Apex Court. The Apex Court has dismissed the SLP filed by the respondents. In the Government Order in G.O.Ms.No.354, Law (LS) Department dated 22.06.2023 issued by the 1st respondent except the name of the petitioner, all the name of the part time Lecturers are found. Furthermore, the petitioner is still working as a Law Teacher. Therefore, the petitioner made representations dated 18.07.2023 and 26.08.2023 to the respondents, but till date there is no response from them. Hence this petition.

5.The learned Additional Government Pleader takes notice for the respondents and submits that if a period of sixteen weeks time is granted, the respondents would consider the representation of the petitioner and pass appropriate orders.



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6. On a perusal of the records, it is seen that as per G.O.Ms.No.354, Law (LS) Department dated 22.06.2023, the services of similarly placed persons have been regularised. Considering the submission of the learned counsel for the petitioner, without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 26.08.2023 and pass appropriate orders on merits and in accordance with law within a period of sixteen weeks from the date of receipt of copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mps

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State of Tamil Nadu,
Department of Law,
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- 2.The Director of Legal Studies,
Kilpauk,
Chennai - 600 010.
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V.BHAVANI SUBBAROYAN, J.



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