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W.P. No.35223 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.35223 of 2022

D.Tamilarasan

.. Petitioner

VS

1. The State of Tamil Nadu

Rep. by its Secretary

Higher Education Department

Secretariat, Chennai - 600 009.

2. The Commissioner of Technical Education

No.53, Sardar Patel Road, 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, to issue a Writ of Mandamus, directing the first respondent to consider the representation made by the petitioner dated 05.10.2022 seeking to repost him in the third respondent University or in any nearby college within a time frame fixed by this Hon'ble Court.



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For Petitioner : Ms.L.Parvinbanu
For Respondents : Mr.D.Ravichander
Special Government Pleader
for respondent 1 & 2

Mr.C.P.Arudainambi
Standing Counsel
for respondent 3

Ms.E.Indhumathi
Government Advocate
for respondent 4

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 05.10.2022, wherein, he had requested for reposting him in the third respondent University in a nearby College, close to his native town within a time frame to be fixed by this Court.

2. Mr.D.Ravichander, learned Special Government Pleader accepts notice for the respondents 1 and 2. Mr.C.P.Arudainambi, learned Standing Counsel accepts notice for the third respondent. Ms.E.Indhumathi, learned Government Advocate accepts notice for the fourth respondent. By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.



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3. The petitioner claims that he is a physically disabled person, suffering 70% physical disability. The petitioner is an employee of the third respondent University, which is now under the control of the Government. The petitioner has given representation on 05.10.2022, requesting the first respondent to repost him in the third respondent University in any of the nearby place to Cuddalore, to which place he belongs. Presently the petitioner is working at Srirangam.

4. Heard Ms.L.Parvinbanu, learned counsel for the petitioner and learned counsel appearing for the respective respondents.

5. No prejudice would be caused to the respondents if the petitioner's representation, 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 first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 05.10.2022, seeking for reposting him to a nearby College at Cuddalore, under the control of the third respondent



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University, instead of Srirangam, where the petitioner is presently working, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of.

There will be no order as to costs.

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
drm/nl

03.01.2023

To :

1. The Secretary
Higher Education Department
The State of Tamil Nadu
Secretariat, Chennai - 600 009.
2. The Commissioner of Technical Education
No.53, Sardar Patel Road, Chennai - 25.
3. The Registrar
Annamalai University
Annamalai Nagar, Chidambaram.
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ABDUL QUDDHOSE, J.

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