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W.P.(MD)No.8762 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.8762 of 2023

L.Ramakrishnan

... Petitioner

vs.

1.The Director of Public Libraries,
Directorate of Public Libraries,
737, 1, Anna Salai, Mount Road,
Thousand Lights,
Chennai-600 002.

2.The District Library Officer,
District Library Office,
Collectorate Complex,
87/9a, Pavali Road,
Virudhunagar-626 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner for promotion to the post of Inspector of Libraries taking into account of Foundation Course completed by the petitioner as equivalent to Higher Secondary Course (+2) in the light of order passed by the Hon'ble Division Bench in W.A.(MD)Nos.497 to 500 of 2022,



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dated 05.07.2022, by considering the petitioner's representation, dated 21.12.2022 and 27.12.2022, within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition is filed for issuance of a writ of Mandamus, to direct the respondents to consider the petitioner for promotion to the post of Inspector of Libraries taking into account of Foundation Course completed by the petitioner as equivalent to Higher Secondary Course (+2) in the light of order passed by the Hon'ble Division Bench in W.A. (MD)Nos.497 to 500 of 2022, dated 05.07.2022, by considering the petitioner's representation, dated 21.12.2022 and 27.12.2022, within the period that may be stipulated by this Court.



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2. The contention of the petitioner is that he has completed Foundation course and the same ought to be considered as if the petitioner has completed + 2. The petitioner has completed the course in the year 2012 itself. The Pre-foundation and Foundation course are considered as equivalent in G.O.Ms.No.528 P&AR Department, dated 18.05.1985. It is only in the G.O.Ms.No.144 P&AR Department, dated 20.11.2017 the Government has declared that Pre-foundation and Foundation course are not equivalent to 10th and 12th standard. Since the petitioner has completed the course prior to the said G.O.Ms.No.144, then the same ought to be considered as equivalent. The said issue was considered by the Hon'ble Division Bench in W.A.(MD)No. 497 to 500 of 2022 dated 05.07.2022 and had held that Pre-foundation and Foundation course completed prior to cutoff date as valid and eligible. Following the said Division Bench Judgment this Court had allowed writ petitions in W.P.(MD)No.11416 to 11418, 12528 and 11542 of 2019 dated 14.12.2022.



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3. Therefore this Court is directing the respondents to consider the case of the petitioner based on the representations, dated 21.12.2022 and 27.12.2022 in the light of the judgment dated 05.07.2022 in W.A. (MD)No. 497 to 500 of 2022 and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above said observation, the writ petition is allowed.

No costs.

Index : Yes / No

17.04.2023

Internet : Yes

NCC : Yes / No

Tmg

To

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