



WEB COPY



W.P.No.11571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.11571 of 2022
W.M.P.No.11053 & 11054 of 2022

P.Ganesan

...Petitioner

-Vs -

1. The Secretary
Department of School Education & Literacy,
Ministry of Human Resource Development,
Government of India,
Shastri Bhavan,
New Delhi – 110 001.
2. The Secretary
Ministry of Skill Development
and Entrepreneurship,
Government of India,
Shivaji Stadium Annexe Building,
Connaught Place,
New Delhi – 110 001.
3. The Joint Secretary (SNP Division/Wing II)
Ministry of Skill Development
and Entrepreneurship,
Government of India,
Shivaji Stadium Annexe Building,
Connaught Place,
New Delhi – 110 001.



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4. Jan Shikshan Sansthan
Rep. by its Chairman,
Alagesan Road,
Coimbatore – 641 043.

5. The Avinashilingam Educational Trust,
Rep. by its Managing Trustee,
Metupalayam Road,
Coimbatore – 641 043

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records on the file of the fourth respondent vide proceedings in Office Order dated 31.05.2019, quash the same.

For Petitioner : Mr.S.Saravanan

For Respondents

For R1 to R3 : Mr.Avinash Krishnan Ravi
Additional Central Government
Standing Counsel

ORDER

This writ petition has been filed challenging the order passed by the fourth respondent dated 31.05.2019, thereby terminating the service of the petitioner.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3. The fourth respondent is an organization under the control of Government of India. It provides vocational skills to non-literate, neo-literates as well as school drop-outs. Initially the Sharamik Vidyapeeth Scheme was set up under non plan scheme of Government of India as autonomous bodies and it was registered under the Society Registration Act. It was run by the Universities, State Government and Distinct Organization. The petitioner was selected and appointed as an Attender on 05.12.1984 in the fourth respondent organization and thereafter he was promoted to the post of Lower Divisional Clerk on 01.11.1993. Till his termination, the petitioner had worked as Lower Divisional Clerk.

4. While being so, the Board of Management of the fourth respondent organization had taken decision to surrender the organization before the first respondent viz., the Government of India. Therefore, the fourth respondent terminated the service of the petitioner, since the fourth respondent organization is nothing to do with the respondents 1 & 2. Hence the prayer sought for in this writ petition is not maintainable and it is liable to be dismissed.



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Consequently, connected miscellaneous petitions are also closed. There shall be no orders as to costs.

05.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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WEB COPY To

1. The Director,
Tribal Welfare Department,
Chepauk,
Chennai – 600 005.
2. The District Collector,
Salem District,
Salem – 636 001.
3. The Project Officer,
Tribal Welfare Department,
Collectrate Campus,
Salem – 636 001.
4. The Special Tashildar,
(Adi-Dravidar Welfare)
Attur, Salem District.
5. The Tashildar,
Pethanayakkampalayam Taluk,
Salem District.



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G.K.ILANTHIRAIYAN. J.

rts

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