



W.P.(MD).No.2590 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2590 of 2024

1.M.Uthirapathy

2.K.Kishore Kumar

3.S.Sivakumar

4.C.Uma Maheswaran

5.G.Antony Gerald Devotta

....Petitioners

Vs

1.The Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department,
Fort St.George, Chennai-600 009.

2.The Commissioner,
Commissionerate of Employment and Training,
Integrated Employment Office Building,
Alandur Road,
Guindy, Chennai-600 032.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the representation, dated 31.10.2023 to consider the petitioners for the newly created vacancies in the cadre of “Instructor” in Government Technology Centres as per government order in G.O.(D) No.03 Labour Welfare and Skill Development Department, dated 09.01.2024 more



W.P(MD).No.2590 of 2024

particularly within a time frame as may be stipulated by this Court.

WEB COPY

For Petitioners : Mr.J.Pooventherarajan

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed seeking a direction to the 1st respondent to consider and pass orders on the representation, dated 31.10.2023 to consider the petitioners for the newly created vacancies in the cadre of “Instructor” in Government Technology Centres as per government order in G.O.(D) No.03 Labour Welfare and Skill Development Department, dated 09.01.2024 more particularly within a time frame as may be stipulated by this Court.

2. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioners were sponsored by the Employment Exchange and were appointed as Fulltime Advance Module Instructor in the Government Industrial Training Institute, Thanjavur with effect from 28.02.2011 under contractual basis for a period of 11 months. Later, their service in the



W.P(MD).No.2590 of 2024

Government Industrial Training Institute, Thanjavur was extended periodically on 31.01.2012, 13.03.2013, 18.07.2014, 11.06.2015, 22.06.2016 and lastly on 18.10.2022. In general, they were in service as Fulltime Instructor with effect from 28.02.2011. Thereafter, on 30.06.2013, they were relieved from service. At the time of their initial recruitment, they were appointed under Center of Excellence Scheme. In the meanwhile, vide G.O(D)No.3 Labour Welfare and Skill Development Department, dated 09.01.2024, the Industrial Training Institutes in Tamil Nadu including the Industrial Training Institute in Thanjavur are transformed into Technology Centres with effect from the date of the Government Order.

4. In view of the transformation of the Industrial Training Institutes into Technology Centres, several new posts were created and appointment were made and still many other vacancies are subsisting. The petitioners are qualified to be considered for the newly created posts in the Technology Centres. However, they were not considered. Hence, the petitioners made several representations before the respondents to reinstate them in a suitable post in the service of the Technology Centres. However, the same was not considered. Hence, the representation, dated 31.10.2023 was made by the petitioners to the respondents for considering their case for reinstatement.

Since the same was not considered, this writ petition came to be filed.



W.P(MD).No.2590 of 2024

5. The learned Special Government Pleader appearing for the respondents submitted that the respondents could consider the case of the petitioners only if they possess necessary qualifications pertaining to the available vacancies.

6. Recording the same, this Court hereby direct the respondents to consider the representation of the petitioners, dated 31.10.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.

7. With the above said observations, this Writ Petition stands disposed of. No costs.

07.02.2024

Internet : Yes
Index : Yes/No
NCC : Yes/No

gbg

To

1. The Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department,
Fort St. George, Chennai-600 009.



W.P(MD).No.2590 of 2024

WEB COPY

2. The Commissioner,
Commissionerate of Employment and Training,
Integrated Employment Office Building,
Alandur Road,
Guindy, Chennai-600 032.



WEB COPY



W.P.(MD).No.2590 of 2024

L.VICTORIA GOWRI, J.

gbg

W.P.(MD).No.2590 of 2024

07.02.2024