



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2012

CORAM:

THE HONOURABLE Mr.JUSTICE N.PAUL VASANTHAKUMAR
W.P.(MD)Nos.13642 to 13647 of 2011 & 1155 of 2012
and

M.P.(MD)Nos.1,1,1,1,1,1 of 2011 & 1 of 2012

WEB COPY

P.Palanikumar	..Petitioner in WP.13642/2011
R.Pandiselvi	..Petitioner in WP.13643/2011
G.Sakunthala	..Petitioner in WP.13644/2011
K.Sankarapandian	..Petitioner in WP.13645/2011
K.Kumanan	..Petitioner in WP.13646/2011
S.Susila	..Petitioner in WP.13647/2011
M.Muthu	..Petitioner in WP.1155/2012

Vs.

The State of Tamil Nadu,
Rep.by the Secretary to Government,
School Education Department,
Secretariat, Chennai-9.

The Director of Public Libraries,
Chennai-2. ..Respondents Nos.1 & 2 in all WPs

District Library Officer,
Madurai. ..R3 in WP.13642/11, 13643/11 & 13645/11

The District Library Officer,
Virudhunagar,
Virudhunagar District. ..R3 in W.P.13644/11, 13647/11 & 1155/12

The District Library Officer,
Tanjore. ..R3 in WP.13646/11

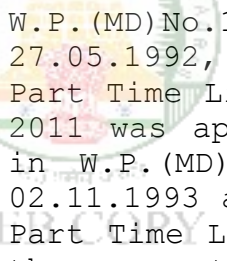
Prayer: Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the respondents
to regularize the service of the petitioner as Village Librarians by
absorbing him in any one of the existing vacancy.

For Petitioner in all Cases	: Mr.V.Paneerselvam for M/s.C.S.Associates
For Respondents	: Mr.R.Andaraj, G.A.

COMMON ORDER

The prayer in these Writ petitions are for issuing Writ of
Mandamus directing the respondents to regularize the services of the
petitioners as Village Librarians by absorbing them in any one of the
existing vacancies.

2. The petitioner in W.P.(MD)No.13642 of 2011 was appointed as Part
Time Librarian on 17.01.1994, the petitioner in W.P.(MD)No.13643 of 2011
was appointed as Part Time Librarian on 01.01.1996, the petitioner in



W.P.(MD)No.13644 of 2011 was appointed as Part Time Librarian on 27.05.1992, the petitioner in W.P.(MD)No.13645 of 2011 was appointed as Part Time Librarian on 09.03.1990, the petitioner in W.P.(MD)No.13646 of 2011 was appointed as Part Time Librarian on 21.03.1991, the petitioner in W.P.(MD)No.13647 of 2011 was appointed as Part Time Librarian on 02.11.1993 and the petitioner in W.P.(MD)No.1155 of 2012 was appointed as Part Time Librarian on 06.07.1993. According to the petitioners, all of them are still continuing in service on part time salary basis and some of them are working as Double Part Time Village Librarians. The Government of Tamil Nadu issued G.O.Ms.No.66, School Education (K1) Department, dated 30.01.1996 to regularize the services of part time Librarians followed with another G.O.Ms.No.156 School Education (K1) Department, dated 10.09.1998. According to the petitioners, they were not regularized as they did not possess requisite qualification.

3.The petitioners claimed that they had acquired requisite qualification and they are entitled to be observed as in the case of similarly placed persons, who were earlier absorbed by virtue of G.O.Ms.No.203 School Education (K1) Department, dated 27.05.2008, G.O.Ms.No.317 School Education (K1) Department, dated 15.12.2010, etc.

4.The contention of the petitioners is that without regularizing the petitioners' services, the Government has now issued G.O.Ms.No.147 School Education (K1) Department, dated 21.09.2011 and directed to fill up 1093 Village Librarian posts throughout Tamil Nadu, which shows that there are vacancies available and the petitioners' claim for regularization, even though they submitted representations are yet to be considered. According to the petitioners similarly placed persons having been regularized considering their long service as part time Librarians, the petitioners are entitled to get equal treatment.

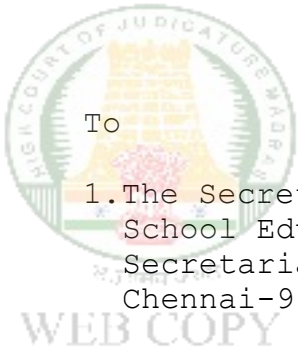
5.Since the Government has to decide regularization of the petitioners services, the petitioners are directed to make fresh joint representation to the 1st respondent within a period of 2 weeks from the date of receipt of a copy of this order. On receipt of such joint representation, the 1st respondent is directed to consider the claim made by the petitioners in the light of the earlier order granting regularization to similarly placed persons and pass orders within a period of 3 months from the date of the receipt of the joint representation.

6.By order dated 29.11.2011, this Court has directed to keep 6 posts vacant. Till orders are passed in the joint representations to be submitted by the petitioners as stated supra, the six posts, which is already kept vacant, are directed to be continued.

The Writ petitions are disposed of accordingly. No costs. Consequently, connected M.Ps.are closed.

Sd/-
Assistant Registrar (AS)

/True copy/



To

1. The Secretary to Government,
School Education Department,
Secretariat,
Chennai-9.

2. Director of Public Libraries,
Chennai-2.

3. District Library Officer,
Madurai.

4. The District Library Officer,
Virudhunagar, Virudhunagar District.

5. District Library Officer, Tanjore.

Nbj

SR : 11.05.2012 : 3p/6c

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