



WP(MD) No.21391 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

**Wednesday, the Eleventh day of September Two Thousand and Twenty Four
PRESENT**

The Hon`ble Mr.Justice R.VIJAYAKUMAR

WP(MD) No.21391 of 2024

and

WMP(MD) No.18104 of 2024

H.LAKSHMANAN

... PETITIONER

Vs

1 THE STATE OF TAMIL NADU

REP BY ITS ADDITIONAL CHIEF SECRETARY,

**LABOUR WELFARE AND SKILL DEVELOPMENT DEPARTMENT,
SECRETARIAT, CHENNAI**

2 THE COMMISSIONER OF EMPLOYMENT AND TRAINING,

**O/O. COMMISSIONER OF EMPLOYMENT AND TRAINING,
ALANTHUR ROAD, GUINDY,
CHENNAI 600 032**

... RESPONDENTS

Writ Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned charge memo passed by the 2nd respondent vide his proceedings in Na.Ka.No. 2976/Aapa2/2022-1 dated 02.01.2024 and quash the same as illegal and consequently to direct the 1st respondent to include the name of the petitioner in the temporary panel list of Principal / Assistant Direct or Training fit for Post of Deputy Director of Training / Deputy Apprentice Advisor / Deputy Director / Principal for the year 2022-2023 within a time stipulated by this Honble Court.

Prayer in WMP(MD). 18104/ 2024 :

To grant an Ad interim stay of operation of the impugned order passed by the 2nd respondent vide his proceedings in Na.Ka.No. 2976/Aapa2/2022-1 dated 02.01.2024 pending disposal of the above writ petition.

ORDER : This Writ Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of



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MR.H.MOHAMED IMRAN, Advocate for M/S.AJMAL ASSOCIATES for the petitioner and of MR.S.SHANMUGAVEL, Additional Government Pleader on behalf of the Respondents, the court made the following order:-

The instant writ petition has been filed by a former Principal of ITI, Tirunelveli District, challenging a charge memo dated 02.01.2024.

2.The primary ground on which the charge memo under attack is that as per annexure-I of the charge memo, the alleged delinquency has happened between 31.07.2016 and 18.05.2017. A perusal of the charge memo indicates that the charges have levied as against the writ petitioner for lack of supervision.

3.Considering the fact that the charge memo has been issued after a period of seven years, the petitioner has made out a prima facie case.

4.There shall be an order of interim stay for a period of four weeks.

5.Notice of motion returnable in four weeks.

6.Post the matter after four weeks.

sd/-

11/09/2024

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/09/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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1 THE ADDITIONAL CHIEF SECRETARY,
STATE OF TAMIL NADU
LABOUR WELFARE AND SKILL DEVELOPMENT DEPARTMENT,
SECRETARIAT, CHENNAI

2 THE COMMISSIONER OF EMPLOYMENT AND TRAINING,
O/O. COMMISSIONER OF EMPLOYMENT AND TRAINING,
ALANTHUR ROAD, GUINDY,
CHENNAI 600 032.

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.11230[I] Dated 12/09/2024
ORDER
IN
WP(MD) No.21391 of 2024
and
WMP(MD) No.18104 of 2024
Date :11/09/2024

RS/VR/SAR-(18.09.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
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