



W.P.No.28125 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : **27.01.2026**

Delivered on : **16.02.2026**

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.28125 of 2015
and
M.P.Nos.1 and 2 of 2015

1. Irusappan
S/o.Rajagopal
2. G.Sampath
S/o.Govindaraj
3. D.Varadhan
S/o.Dhanapal
4. S.Devadoss
S/o.Soosai
5. Krishnan
S/o.Arjunan
6. T.Gajendran
S/o.Thangavelu

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7. Narayanasamy
S/o.Arunachalam

8. P.Venkatesa Perumal
S/o.Pushpam

9. Sadatharan
S/o.Manjini

10. Elango
S/o.Pakkiri

... Petitioners

Vs

1. Union Territory of Puducherry
Rep. by its Under Secretary to the Department
Local Administration Department
Puducherry.

2. The Director
Local Administration Department
Puducherry.

3. The Commissioner
Puducherry Municipality
Puducherry.

4. P.Kezendirane
S/o.Vinayagam

5. K.Balabaskaran
S/o.Kalivarathan

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6. R.Vijaya
D/o.Rajasegaran
7. V.Nalina
D/o.Venni Tandabany
8. S.Soubalatchoamy
D/o.Sundaramoorthy
9. V.Rajendiran
S/o.Vinayagam
10. S.Jayanthi
W/o.Balabaskaran
11. S.Arikrishnan
S/o. Singaravelu
12. A.Bathmavady
D/o.Archunan
13. M.Ravichandiran
S/o.Mahalingam
14. D.Govindan
S/o.Dhandapani
15. DJ.Tayanayaguy
D/o.Janbarthanan
16. M.Kumaresan
S/o.Murugesan

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17. S.Venkataparamanandam
S/o.Selvaraj

18. T.Parthiban
S/o.Tamilarasan

19. S.Jagadiswari
S/o.Subramanian

20. S.Rajasekaran
S/o.Sundaramoorthy

.... Respondents

R4 to R20 impleaded vide order dated 12.07.2023
made in W.M.P.No.8664 of 2020 in W.P.No.28125 of 2015

Writ Petition No.28125 of 2015 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Government Order issued by the 1st respondent herein vide G.O.Ms.No.15/LAS/2015-16 Puducherry dated 31.07.2015 insofar as it relates to SI.Nos.1-10, 12-14, 16-19, quash the same and consequently, direct the respondents herein to consider the promotion of the petitioners in the posts of Work Inspector as per the Rules.

For petitioner : Mr.K.Govi Ganesan
For Respondents : Mrs.Sharadha Vivek,
Additional Government Pleader (Pondy)
for R1 to R3
Mr.T.M.Naveen, for R4 to R20



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ORDER

The challenge in this writ petition is to the Government Order dated 31.07.2015 bearing G.O.Ms.No.15/LAS/2015–2016 issued by the first respondent. The said order was passed in exercise of the powers conferred under Section 114 of the Puducherry Municipalities Act, 1973 (hereinafter referred to as the “Puducherry Municipalities Act” for the sake of brevity, convenience and clarity) and under Section 68 of the Puducherry Village and Commune Panchayat Act, 1973 (hereinafter referred to as the “Puducherry Panchayat Act” for the sake of brevity, convenience and clarity). By the said order, approval was granted by the Government to regularise the services of 55 Technical Assistants, 43 Mazdoors and 16 Maistries working under P.S. Charges (Work-Charged Establishment) in various Municipalities and Commune Panchayats in the Puducherry, Karaikal, Mahe and Yanam Regions, against the existing direct recruitment quota vacancies of Group ‘C’ posts such as Data Entry Operator, Work Inspector, LDC, Bill Collector Grade-II, Electrician, etc., as a one-time measure, by relaxation of the relevant provisions of the Recruitment Rules.

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2. The petitioners are working as Gangmen in the third respondent Municipality, namely Puducherry Municipality. The petitioners claim that they were appointed against sanctioned vacant posts of Gangmen and that, upon completion of their probation period, their services were regularised.

3. The petitioners further state that the Commissioner, Puducherry Municipality, by communication dated 07.11.2014, requested the Director, Local Administration Department, Puducherry, to amend the Recruitment Rules so as to make provision for promotion to the post of Work Inspector from the feeder category of Gangmen. As per the said communication, a proposal was made to create an avenue of promotion to the post of Work Inspector from the cadre of Gangman/Mason, with five years of qualifying service after regular appointment thereto.

4. Heard the learned counsel for the parties on either side and perused the materials on record.



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5. Though the said communication is dated 07.11.2014, the Recruitment Rules have not been amended till date so as to provide for promotion to the post of Work Inspector from the feeder categories of Gangmen / Masons. As per the notification issued by the Local Administration Department, Government of Puducherry, dated 03.04.1995, in exercise of the powers under sub-section (2) of Section 114 of the Puducherry Municipalities Act, the Puducherry Municipalities Recruitment (Amendment) Rules, 1994 were framed, governing recruitment and appointment to various posts specified in the Schedule. Insofar as the post of Work Inspector Grade-I is concerned, there is no provision for promotion from the feeder categories of Gangmen or Masons.

6. It is a settled principle of law that only a person who is aggrieved, in the sense that his legal or statutory rights are directly infringed, can maintain a challenge to an administrative or executive action. Since the petitioners have failed to establish any legally enforceable right that has been impaired by the impugned Government Order, they cannot be treated as “aggrieved persons”.



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7. Therefore, the contention of the petitioners that their seniority and promotional prospects have been adversely affected on account of the absorption of employees under the impugned Government Order is devoid of merit. The petitioners cannot be treated as aggrieved persons and, therefore, lack *locus standi* to challenge the impugned Government Order. Accordingly, writ petition stands dismissed for want of *locus standi*. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

16.02.2026

Index : Yes

Neutral Citation : Yes

Speaking / Non-speaking

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Rep. by its Under Secretary to the Department
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HEMANT CHANDANGOUDAR, J.,

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