

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11940 of 2010

M.Vigneswaran

..Petitioner

-Vs-

1. The State of Tamil Nadu rep.by its
Secretary to Government,
Municipal Administration and Water
Supply Department,
Fort St.George,
Chennai 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.
3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode,
Namakkal District.

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 24.04.2010 in Na.Ka.No.49717/08/H3 passed by the second respondent and consequential order passed by the third respondent in Na.Ka.No.5688/2009/C1 dated 29.04.2010 and quash the same and reinstate the petitioner into service and regularize the service of the petitioner with all attendant benefits with continuous service.

For Petitioner :: Mr.A.R.Nixon

For Respondents :: Mr.A.Kumar
Special Government Pleader
for R1 & R2
Mr.G.Sankaran for R3

ORDER

This writ petition has been filed by Mr.M.Vigneswaran challenging the impugned order passed by the second respondent and the consequential order passed by the third respondent, in and by which they have informed that the possibility of reinstating the petitioner in service or giving him employment was out of question.

2. After some arguments, the learned counsel for the petitioner, without going to the reasoning given in the impugned order that the petitioner was appointed through the employment exchange on contract basis for a period five years on a consolidated pay of Rs.1,500/- per month, since has suffered non-employment, requested this Court to give a direction to the third respondent to consider his representation for future employment as and when any such vacancy arises.

3. Heard the learned counsel for the third respondent.

4. This Court, considering the limited request made by the learned counsel for the petitioner that the petitioner has suffered non-employment, without going to the reasoning given in the impugned order that he was sponsored by the employment exchange as an eligible candidate for the post of Office Assistant and was selected by the order of appointment dated 8.11.2005 for a period of five years on consolidated pay, hereby directs the petitioner to give a written representation along with a copy of this order together with the previous order of appointment to the third respondent and on receipt of the same, it is for the third respondent to consider the same as and when any future vacancy arises in the Municipality. With this observation, the writ petition stands disposed of. Consequently, M.P.Nos.1 of 2011 & 1 of 2015 are closed. No costs.

ss

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government,
Municipal Administration and Water
Supply Department,
Fort St.George,
Chennai 600 009.

2. The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.

3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode,
Namakkal District.

+ 1 cc to Mr.A.R.Nixon, Advocate Sr 12349

KR/18/3/16

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