



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Appeal(MD) No.1473 of 2015

1.S.Shiek Ismail

2.S.Balamurugan

... Appellants

Vs.

1.The Additional Director General of Police,
Tamil Nadu Home Guards and Civil Defence
Chennai.

2.The Superintendent of Police,
Karur District, Karur.

3.D.Manivel

4.M.Panburajan

... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 09.09.2014 made in W.P.(MD)No.10042 of 2012.

Prayer in WP(MD). 10042/ 2012 :

Which is a sought to be preferred under Article 226 of the constitution of India for the issuance of writ of Certiorari, to call for the records relating to the impugned order Na.Ka.No. E2/4185/2012 dated 27/03/2012 passed by the 2nd respondent and confirmed in proceedings in Na.Ka.NO. A1/1172/K.P and U.K/2012 dated 02/07/2012 passed by the 1st respondent and quash the same.

For Appellants :Mr.R.Murali for Mr.K.Govindarajan

For Respondents 1&2 : Mr.V.R.Shanmuganathan
Special Government Pleader.

JUDGMENT

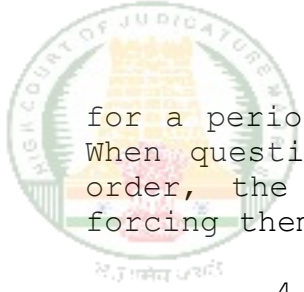
(Judgment of the Court was delivered by **V.RAMASUBRAMANIAN, J**)

This appeal arises out of an order of the learned Judge dismissing a writ petition filed by the appellants challenging an order of non renewal of contract as Home Guards.

2.Heard Mr.K.Govindarajan, learned counsel for the appellants.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The appellants were appointed as Home Guards in terms of the provisions of the Tamil Nadu Home Guards Act, 1963. The appointment was



for a period of three years. After expiry, the contract was not renewed. When questioned, the respondents passed an order. Challenging the said order, the appellants filed writ petition but the same was dismissed forcing them to come up with the above appeal.

4.As rightly observed by the learned Judge, the appointment as a Home Guard is not an appointment to a post or a service. It is neither an employment nor a position of status. Therefore, the refusal to renew the contract cannot be agitated. The learned Judge was right in dismissing the writ petition. Hence, the writ appeal is dismissed. No costs.

Sd/-

Assistant Registrar ((W)

/True Copy/

Sub Assistant Registrar

sms

To

1.The Additional Director General of Police,
Tamil Nadu Home Guards and Civil Defence
Chennai.

2.The Superintendent of Police,
Karur District, Karur.

+1CC to Spl.Government Pleader Sr.No.692

GJM/JGB/DP/19.1.16-2p-4c

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