

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 28.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. Nos.11198 to 11200 of 2017

W.P.No.11198 of 2017:-

Kona Mukteswara Rao ... petitioner

Vs

- 1 Union of India through the
Chief Secretary Government of Puducherry
Chief Secretariat Puducherry
- 2 Union of India through the
Govt. of Puducherry rep by Under Secretary
to Government Dept. of Personnel &
Administrative Reforms Personnel wing
Chief Secretariat Puducherry
- 3 The Regional Administrator
Yanam - 533 464
- 4 The Registrar
Central Administrative Tribunal
Chennai-600 104 respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records relating to order dated 24.02.2016 in O.A. No.434 of 2012 and quash the same and to direct the respondents to regularise / absorb the petitioner in the post of Stenographer Grade II from the date of initial appointment with all attendant benefits and to allow the said Original Application.

W.P.No.11199 OF 2017

Bezawada Rajani

.... petitioner

Vs

- 1 Union of India through the
Chief Secretary Government of Puducherry
Chief Secretariat Puducherry
- 2 Union of India through the
Govt. of Puducherry rep by Under Secretary
to Government Dept. of Personnel &
Administrative Reforms Personnel wing
Chief Secretariat Puducherry
- 3 The Regional Administrator
Yanam - 533 464
- 4 The Deputy Director
Govt. General Hospital Yanam- 533 464
- 5 The Registrar
Central Administrative Tribunal
Chennai-600 104 ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorari calling for the records relating to order dated 24.02.2016 in O.A. No.433 of 2012 and quash the same and to direct the respondents to regularise/absorb the petitioner in the post of Stenographer Grade II from the date of initial appointment with all attendant benefits and to allow the said Original Application.

W.P.No.11200 of 2017 :-
Kanakala Srinubabu ... petitioner

Vs

- 1 Union of India through the
Chief Secretary Government of Puducherry
Chief Secretariat Puducherry
- 2 Union of India through the
Govt. of Puducherry rep by Under Secretary
to Government Dept. of Personnel &
Administrative Reforms Personnel wing
Chief Secretariat Puducherry
- 3 The Regional Administrator
Yanam - 533 464

4 The Delegate to DSE
Yanam.

5 The Registrar
Central Administrative Tribunal
Chennai-600 104

... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorari calling for the records relating to order dated 24.02.2016 in O.A. No.436 of 2012 and quash the same and to direct the respondents to regularise / absorb the petitioner in the post of Stenographer Grade II from the date of initial appointment with all attendant benefits and to allow the said O.A.

For petitioner : Mr.Giridhar

COMMON ORDER
(made by K.K.SASIDHARAN, J.)

The challenge in these Writ Petitions is to the common order dated 24 February 2016 in O.P.Nos.434, 432 and 436 of 2012 rejecting the request made by the petitioners to regularize their services in the post of Stenographer Grade II, from the date of initial appointment with all attendant benefits.

2. Heard the learned counsel for the petitioners.

3. The petitioners were engaged as daily rated stenographers against the temporary vacancies and purely as a stop gap arrangement till the posts are filled up by regular recruitment. The petitioners accepted the terms and conditions of offer of appointment. Subsequently, the petitioners appeared for a test conducted for appointment to the post of Stenographer Grade III, pursuant to the notification issued by the Government of Puducherry. However, none of the petitioners were selected. Thereafter, the petitioners made a claim for regularization. The Government of Puducherry rejected their request for regularization. The petitioners therefore filed the original application.

4. The Tribunal found that the petitioners were given sufficient indulgence by permitting them to take part in the selection process. The petitioners were not successful in the selection process conducted by the Government of Puducherry for appointment to the post of Stenographer Grade III. The post of Stenographer is covered by recruitment rules. There is no question of regularizing the services of the petitioners. The petitioners accepted the engagement knowing fully well that the

arrangement would continue only till the posts are filled up by direct recruitment.

5. The Tribunal considered the issue raised by the petitioners and the original applications were rightly rejected. We do not find any error or illegality in the said order warranting interference by this Court.

6. In the upshot, we dismiss the Writ Petitions. No costs. Consequently, W.M.P.Nos.12154 to 12156 of 2017 are also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1 The Chief Secretary, Government of Puducherry
Chief Secretariat Puducherry
- 2 The Under Secretary to Government Dept. of Personnel &
Administrative Reforms Personnel wing
Chief Secretariat Puducherry
- 3 The Regional Administrator
Yanam - 533 464
- 4 The Deputy Director
Govt. General Hospital Yanam- 533 464
- 5 The Registrar
Central Administrative Tribunal
Chennai-600 104

+3 CCs to Ms. Giridhar & Sai , Advocate sr 36439,36441,36442

W.P. Nos.11198 to 11200 of 2017

AD(CO)
sp/16/6