

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.16172 of 2017

1. V.Ganesan
2. V.Sivasaravanan
3. S.Subramanian
4. S.Govindasamy
5. M.Pachiyappan
6. M.Singaravelu
7. S.Subramani

... Petitioners

Vs

- 1.The Executive Director,
Tamil Nadu Watershed Development Agency,
TANCOF Building, Thir Vi Ka. Industrial Estate,
Ekatuthangal, Chennai - 600 032.
- 2.The District Collector,
District Collectorate,
Salem District, Salem.
- 3.The Project Officer/ Joint Director of Agriculture,
District Watershed Development Agency (DWDA),
Cherry Road,
Office of the Joint Director of Agriculture,
Salem - 636 001.
- 4.The Deputy Director of Agriculture,
/Planting Technologist,
District Watershed Development Agency (DWDA),
Cherry Road,
Office of the Joint Director of Agriculture,
Salem - 636 001.
- 5.The Extension Officer/ Assistant Director of Agriculture,
Cherry Road,
Office of the Joint Director of Agriculture,
Salem - 636 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the Respondents to dispose of the representation dated

24.04.2017 of the Petitioners for redeployment in any of the available posts to which the petitioners are qualified in the various forthcoming schemes of Integrated Watershed Management Programme (IWMP) in conformity with the recommendation of the 1st Respondent dated 08.03.2017 having Ref.No.1975/Ma. E, Mu/2010.

For Petitioners : Ms.C.Uma

For Respondents : Mr.M.Perumal
Government Advocate

O R D E R

This writ petition is for a direction to the respondents to dispose of the representation dated 24.04.2017, submitted by the writ petitioner, for redeployment in any of the available posts according to the qualification and in various forthcoming schemes of Integrated Watershed Management programme.

2. Learned counsel for the writ petitioner contended that the first respondent made a recommendation in letter dated 08.03.2017 and as per the recommendation, the writ petitioners have to be considered for accommodating in other schemes. On a perusal of the letter dated 08.03.2017, it is sent by the Chief Executive Officer to the Project Officer/Agricultural Joint Director, it is an internal communication issued between these authorities in respect of certain instructions. Such instructions shared between two authorities cannot confer any right on the writ petitioners to seek redeployment in various other schemes.

3. Appointment can never be claimed as a matter of right. Further, the writ petitioners were appointed on a consolidated pay to work in a scheme. Thus, on completion of the project, the writ petitioners need not be entertained in another project. Ultimately, it is the discretion of the authorities to select the candidates to work in the project or in scheme on a consolidated pay /daily wages. Such employees appointed on consolidated pay cannot claim any legal rights for confirmation of service or redeployment in any other projects. In the absence of any legal right, this court cannot entertain any writ proceedings. Further, the writ petitioners have worked in the project by accepting the conditions stipulated in the order of appointment issued to them.

4. The order of appointment states that they were appointed on consolidated pay on temporary basis. Thus, the writ petitioners have not established any legal right for entertaining the writ petition under Article 226 of the

Constitution of India and no further consideration in this regard is required and the prayer sought for needs rejection. Accordingly, the writ petition is dismissed. However, no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sli/cgi

To

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+1cc to Mr.C.Uma, Advocate, S.R.No.55165
+1cc to the Government Pleader, S.R.No.55710

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KS (CO)
CA(22/08/2017)