

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28510 of 2017
and W.M.P.No.30625 of 2017

A.Jegan

[Petitioner]

Vs

- 1 The Puducherry Corporation for
Development of Women & Differently Abled
Persons Ltd
rep by its Managing Director
No.30 IInd Cross St Pon Nagar Reddiarpalayam
Puducherry
- 2 The Secretary
(Welfare)-cum- Chairperson
Puducherry Corporation for the Development
of Women and Differently Abled Persons Ltd
Puducherry
- 3 The Director
Department of Women and Child Development
(DWCD) Puducherry

[Respondents]

Petition under Article 226 of the Constitution of India,
praying for the issuance of a Writ of Certiorarified Mandamus,
to call for the records of the 3rd respondent with No.10/ PCDW &
DAP/ 2017- 2018/ 1404 dated 21.07.2017 and to quash the same and
consequently to direct the respondents to re-instate the
petitioner into service with all other consequential benefits
including arrears of wages service benefity etc.

For Petitioner:: Mr.V.Ayayakumar

For Respondents:: Mr.B.Nambiselvan, AGP (Pondy)

ORDER

Mr.B.Nambiselvan, learned Additional Government Pleader
(Pondy), takes notice for the respondents and with the consent
on both sides, the main writ petition itself is taken up for

disposal at the admission stage itself.

2. The petitioner has again visited this Court challenging the impugned order dated 21.07.2017 passed by the Director, Department of Women and Child Development, 3rd respondent herein, pursuant to the order passed by me in Writ Petition No.11044 of 2017 on 28.04.2017, in and by which a direction was issued to consider and pass orders on the representation of the petitioner.

3 . The 3rd respondent, in the order dated 21.07.2017 has stated that the services of the writ petitioner shall not be continued beyond 01.08.2017 for the reason that the funds in respect of State Resource Centre for Women will be exhausted by 31.07.2017 and the contract had already expired on 12.03.2017 and the same has not been renewed thereafter. Challenging the same, the petitioner has again come before this Court.

4. The learned counsel for the petitioner would submit that the scheme for which the petitioner was appointed is on-going programme and it is still continuing. While so, the 3rd respondent cannot terminate the service of the petitioner, although he was appointed on contract basis.

5. This was the ground on which, this Court, on an earlier occasion, entertained the writ petition in W.P.No.11044 of 2017 and directed the respondents to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of six weeks. Thereafter, the impugned order has been passed.

6. The petitioner was appointed as a Research Officer in the State Resource Centre for Women on contractual basis on 10.03.2014. Subsequently, his contract was also renewed. In view of the fact that the funds in respect of State Resource Centre for Women got expired on 31.07.2017 and the contract have already been expired on 12.03.2017, the petitioner cannot again visit this Court, challenging his termination. Further, this Court cannot give any more direction for the simple reason that the petitioner was appointed on contract basis and the contract has also come to an end. The petitioner cannot have any right to continue in employment as he was appointed purely on contract basis and the same also came to an end.

7. In view of the above, the writ petition fails and the same is dismissed. No costs. Connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

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To

- 1 The Managing Director
The Puducherry Corporation for
Development of Women & Differently Abled Persons Ltd
No.30 IInd Cross St. Pon Nagar Reddiarpalayam
Puducherry
- 2 The Secretary
(Welfare)-cum- Chairperson
Puducherry Corporation for the Development
of Women and Differently Abled Persons Ltd
Puducherry
- 3 The Director
Department of Women and Child Development
(DWCD) Puducherry

+1 Cc to Govt. Pleader sr 79550.

+1 Cc to Mr.V.Ayayakumar, Advocate sr 79713(13/11/2017)

सत्यमेव जयते

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W.P.No.28510 of 2017

SP(10/11/2017)