



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.16184 of 2017

G.Peter Arul Selvan

: Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Chepauk,
Chennai -5.

2. The Commissioner,
Colachel Municipality,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents permitting the petitioner to continue as temporary sanitary worker and allow the petitioner to sign in the daily attendance register.

For Petitioner : Mr.A.Rajkumar Sen

For Respondent : Mr.P.Athimoolapandian

O R D E R

By consent of both parties, the writ petition itself is taken up for final disposal.

2.The petitioner seeks a Writ of Mandamus, directing the respondents to permit the petitioner to continue as a temporary sanitary worker and also permit him to sign in the daily attendance register.

3.The learned counsel for the petitioner would submit that the petitioner was appointed as a Sanitary Worker in the second respondent Municipality on 23.03.2005, on daily wage basis for a sum of Rs.25/- per day which was subsequently enhanced to Rs.100/- per day. The learned counsel would further submit that as the petitioner has been appointed through employment exchange of Kanyakumari District, he is entitled for regularization of his



service.

4. At this stage, when this Court posed a question to the learned counsel for the petitioner as to when the petitioner was appointed through the employment exchange, the learned counsel for the petitioner submitted that no appointment order has been produced by the respondent Municipality. If the petitioner is appointed through employment exchange, then the order of appointment should be produced before this Court. When there is no order of appointment, it is an appointment through back door entry. Hence, the petitioner cannot approach this Court seeking a direction to the respondents to permit him to continue in the said post.

5. The Writ Petition stands dismissed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Municipal Administration,
Chepauk,
Chennai -5.

2. The Commissioner,
Colachel Municipality,
Kanyakumari District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 75338
+ 1 CC TO Mr.A.RAJKUMAR SEN, ADVOCATE IN SR No. 75265

MR/MRN
TE/KK/SAR-II : 20/10/2017 : 2P/5C

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