

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.A.No.278 of 2013

P.Appavoo ... Appellant

Vs

1.The Municipal Commissioner,
Mettur Municipality,
Mettur, Salem District.

2.The Director of Municipal
Administration, Chepauk,
Chennai - 5.

3.The Government of Tamil Nadu
rep. by its Secretary to Government,
Municipal Administration and Water
Supply Department,
Chennai - 9.

... Respondents

Appeal preferred under Clause XV of Letters Patent against
the order dated 18.01.2011 made in W.P.No.36656 of 2005.

W.P.No.36656 of 2005

Petition filed under Article 226 of the Constitution of India, to call for the records of the 1st respondent in Na.Ka.No. 6548/98/C1 dated 24.9.1999 quash the same and issue consequential directions to regularise the services of the applicant from the date of his initial appointment in September 1993 and absorb him in the regular establishment of Mettur Municipality commensurate with his qualifications with all consequential benefits.

For Appellant .. Mr.M.Ravi

For Respondents .. Mr.S.Saravanan for R1
Mr.V.Kathirvelu,
Spl. Govt. Pleader for R2 & R3

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is preferred against the order of the learned single Judge, who declined to grant the relief on two grounds. First is non-employment of the appellant at the relevant point of time and the other is the applicability of the Government Orders governing regularisation.

2.Heard the learned counsel appearing for the parties.

3.Admittedly, the appellant was employed under the Scheme to recover the dues for a specified period. These schemes are welfare schemes extended to the general public on terms. When dues are not paid, persons have been appointed on temporary basis to collect them. When once the exercise is over, their services have been dispensed with. The appellant was one among such temporary employees. At the time of government order passed to regularise some of the other employees who have been working for quite number of years, the appellant was not even working. Secondly, the Government Order do not cover the employment given for the purpose of implementing the schemes for a specified period. Therefore, we do not find any error in the order passed by the learned single Judge. Accordingly, the writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Municipal Commissioner,
Mettur Municipality,
Mettur, Salem District.

2.The Director of Municipal
Administration, Chepauk,
Chennai - 5.

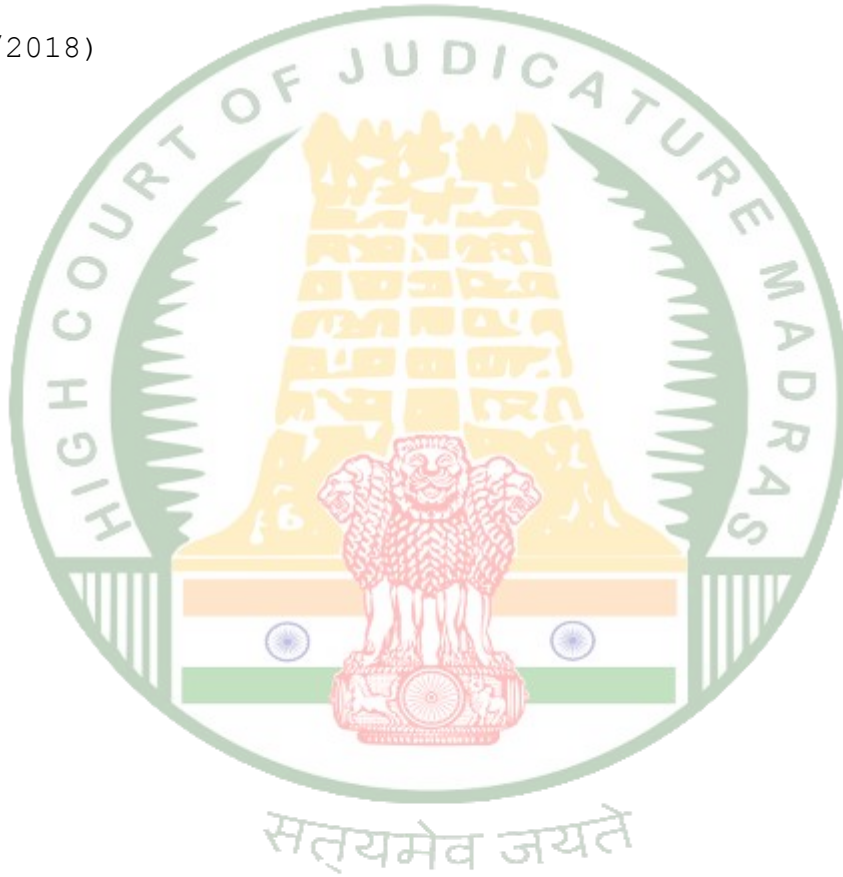
3.The Secretary to Government,
Municipal Administration and Water
Supply Department,
Chennai - 9.

+1cc to Mr.Saravanan, Advocate, S.R.No.79758

+1cc to the Government Pleader, S.R.No.80398

W.A.No.278 of 2013

JP (CO)
GSP (11/12/2018)



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