

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.A.No.607 of 2018

1.M.Chitra
2.D.Amutha
3.D.Chandran
4.V.Ravi

... Appellants

-vs-

1.The Director,
Office of the Adi-Dravidar and Tribal Welfare,
Chepauk, Chennai-600 005.
2.The District Adi-Dravidar Welfare Officer,
Office of the District Adi-Dravidar Welfare Officer,
Collectorate, Erode District. Respondents

Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.No.2141 of 2018 dated 02.02.2018.

Prayer in WP.No. 2141 of 2018 : under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the 2nd respondent to give promotion to the petitioners as cook with regular scale of pay.

For Appellants :: Mr.C.Vijayaragavan

For Respondents:: Mr.P.S.Sivashanmugasundaram,
Spl.GP

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JUDGMENT

(Delivered by HULUVADI G.RAMESH, J.)

This appeal has been filed against the order passed by the learned single Judge in W.P.No.2141 of 2018 dated 02.02.2018, wherein the prayer of the appellants to give promotion to them as Cook with regular scale of pay, was rejected.

2.The appellants were appointed as sanitary workers on a consolidated pay of Rs.2000/- per month in the year 2016. They gave representations to the authorities to regularise their services. They have also given representations to promote them to the post of Cook. They filed a writ petition in W.P.No.2141 of 2018 for a Mandamus to give promotion to them as Cook with regular scale of pay. The writ petition was dismissed on the ground that since they have not been regularised even in the post of sanitary worker, no request could be entertained for their promotion to the post of Cook.

3.The learned Special Government Pleader appearing for the respondents has submitted that the appellants have been appointed only temporarily on consolidated basis and they have not even completed 10 years of service. In these circumstances, the prayer as sought for by the appellants in the writ petition cannot be entertained.

4.Having heard the submissions made by the learned Special Government Pleader appearing for the respondents, we do not find any error or infirmity in the impugned order passed by the learned single Judge and accordingly the writ appeal stands dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

KM

To

1.The Director,
Office of the Adi-Dravidar and Tribal Welfare,
Chepauk, Chennai-600 005.

2.The District Adi-Dravidar Welfare Officer,
Office of the District Adi-Dravidar Welfare Officer,
Collectorate, Erode District.

+1cc to Mr.C.Neethimozhi, Advocate SR.No.46793
+1cc to Government Pleader SR.No.47613

W.A.No.607 of 2018

NA(CO)
GN(01/08/2018)