

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2439 of 2018

V.Venkatapathi

.. Petitioner

-vs-

1. The Commissioner of Municipal
Administration
Chepauk
Chennai 600 005

2. The Regional Director of
Municipal Administration
Vellore

3. The Commissioner
Arani Municipality, Arani

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to include the petitioner's name in the list of regularisation of daily wages employee and appoint the petitioner in any post in Arani Municipality or any other Municipality as per G.O.Ms.No.125 dated 27.5.1999.

For Petitioner :: Mr.O.S.Vijay Sharathi

For Respondents:: Mr.R.S.Selvam
Government Advocate for R1 & 2
Mr.M.Paul Raj
Standing Counsel for R3

ORDER

This writ petition has been filed seeking a mandamus to the respondents to include the name of the petitioner in the list of regularisation of daily wage employees and also to appoint him in any post in Arani Municipality or any other Municipality on the basis of G.O.Ms.No.125 dated 27.5.99.

2. Learned counsel for the petitioner submitted that initially the petitioner was appointed as a daily wages employee in the Arani Municipality on 11.11.94 for maintaining the public toilet of Arani Municipality. On 18.7.95, the petitioner was ousted from service. But, in the meanwhile, the Government

issued G.O.Ms.No.125 Municipal Administration and Water Supply Department dated 27.5.99 with certain guidelines regarding the appointment of daily wages employees. Pursuant thereto, a representation was given on 6.1.2016 followed by two more reminders dated 20.4.2017 and 2.8.2017 to the Commissioner of Municipal Administration, Chennai with a request to include the name of the petitioner in the list of daily wages employees and to appoint him in any post in Arani Municipality or in any other Municipality, as per the said Government Order. But till date, the respondents have not considered the same.

3. It is true that the respondents have not considered the request of the petitioner for the reason that he was ousted from service 23 years ago. Since the petitioner was ousted from service on 18.7.95, it is not known how the petitioner can ask for inclusion of his name in the list of regularisation of daily wages employees. Therefore, the writ petition filed with a misconceived and untenable prayer is dismissed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Municipal Administration
Chepauk
Chennai 600 005
2. The Regional Director of Municipal Administration
Vellore
3. The Commissioner
Arani Municipality, Arani

+ 1 cc to MR. M. Paul Raj, Advocate Sr.8155
+ 1 cc to Mr.O.S. Vijay Sharathi, Advocate SR.8154
+ 1 cc to Government Pleader Sr.9015

W.P.No.2439 of 2018

(CS-III)
EU(26/02/2018)