



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.10.2018
CORAM:
THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.20775 of 2018

WEB COPY

J.Dhanapal

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Co-operative Milk Producers
Federation Limited
UP Country Marketing Division,
2, Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai - 600 035.

2.The General Manager,
Dindigul District Co-operative Milk Producers
Union Limited,
9, East Govindapuram,
Dindigul.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to appoint the petitioner in any of the suitable post by taking into consideration of his past service experience in the 2nd Respondent's Union on the basis of his representation dated 18.09.2018 to the 2nd Respondent.

For Petitioner : Mr.L.Prabhu

For Respondents : Mr.M.Murugan
Govt.Advocate

O R D E R

The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus, directing the 2nd Respondent to appoint the petitioner in any of the suitable post, by taking into consideration of his past service experience in the 2nd Respondent's Union, on the basis of his representation, dated 18.09.2018.

2. The case of the petitioner is that the petitioner was employed under the 2nd respondent's Milk Producers' Union temporarily for six years and he was deprived of employment. The petitioner stated that even though he was worked for six years, as labour, he was not regularized and now, he has been disengaged. Therefore, the petitioner has made a representation on 18.09.2018, seeking for an alternative employment. Since there is no response from the



respondents, the petitioner has come before this Court for the aforesaid relief.

3. I have heard the learned counsel appearing on either side.

4. When a person is disengaged, it is for him to challenge the said termination order. Instead of challenging the order of termination, the petitioner has given a representation to the 2nd respondent, seeking for appointment in any of the suitable post, in the 2nd respondent's Union. Taking advantage of this position, the petitioner has approached this Court by way of filing the present Writ Petition, seeking a direction to consider and dispose of his representation. The petitioner cannot use this Court as an instrument to get either a favourable or adverse order, thereafter, to continue the litigation forever. This Court is not here to create litigation. If the relief sought for by the petitioner is granted, it would amount to creating a further litigation. Hence, this Court is not inclined to entertain the Writ Petition.

5. In the result, this Writ Petition stands dismissed. No costs.

Sd/
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar(CS-I)

To

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2.The General Manager,
Dindigul District Co-operative Milk Producers
Union Limited,
9, East Govindapuram,
Dindigul.

+1cc to Mr.L.PRABHU, Advocate, SR.No.88208

+1cc to M/s.Special Government Pleader,SR.No. 88526

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MPK

KK/RP/SAR-1/28.11.2018/2P-5C

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