

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.04.2019

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.NO.28588 OF 2011

AND

M.P.NO.1 OF 2011

S.Jagannathan

.. Petitioner

- Vs -

1. The Engineer-in-Chief and
Chief Engineer (General)
Public Works Department
Chepauk, Chennai - 5.
2. The Superintending Engineer
Public Works Department (WRO)
Penniyaru Basin Division
Thiruvannamalai.
3. The Executive Engineer
Public Works Department (WRO)
Central Penniyaru Basin Division
Thiruvannamalai.
4. The Assistant Executive Engineer
Sathanur Dam Sub Division
Sathanur Dam, Thiruvannamalai District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records connected to Lr. No.2868/K4/2008/Case dated 12.07.2010 of the 3rd respondent and quash the same and direct the respondents to appoint the petitioner in any one of the suitable vacancy and regularise his service from the date of his initial appointment with all consequential benefits.

For Petitioner : Ms.S.Easi Rani Narasimhan

For Respondents : Mr.J.Ramesh, AGP

ORDER

This writ petition has been filed for the issuance of a writ of certiorarified mandamus calling for the records connected to Lr. No.2868/K4/2008/Case dated 12.07.2010 of the 3rd respondent and quash the same and direct the respondents to appoint the petitioner in any one of the suitable vacancy and regularise his service from the date of his initial appointment with all consequential benefits.

2. A perusal of the impugned order dated 12.7.10 reveals that the petitioner appears to have worked only for a period of 660 days during the total period of service/employment from 1982 to 2009. It is further evident from the impugned order that there was no proof available to substantiate the petitioner having worked between 2000 and 2003 and considering all the above materials, the request of the petitioner for regularisation of his service has been rejected.

3. Once it is found that the petitioner had worked only for 660 days during the entire period of service from 1982 to 2009, no right accrues on the petitioner to seek for regularisation of his service. Having worked only for few days in a year and having worked in all for 660 days during the entire period of service from 1982 to 2009, it is not open to the petitioner to seek regularisation of service. Considering all the above aspects, the authority has rightly rejected the claim of the petitioner for regularisation and this Court is of the considered view that the said order does not suffer from any infirmity and does not call for any interference.

4. For the reasons aforesaid, this writ petition, being devoid of merits is accordingly dismissed. Consequently, connected miscellaneous petition is also dismissed. However, there shall be no order as to costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CCC)

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Sub Assistant Registrar

GLN
To

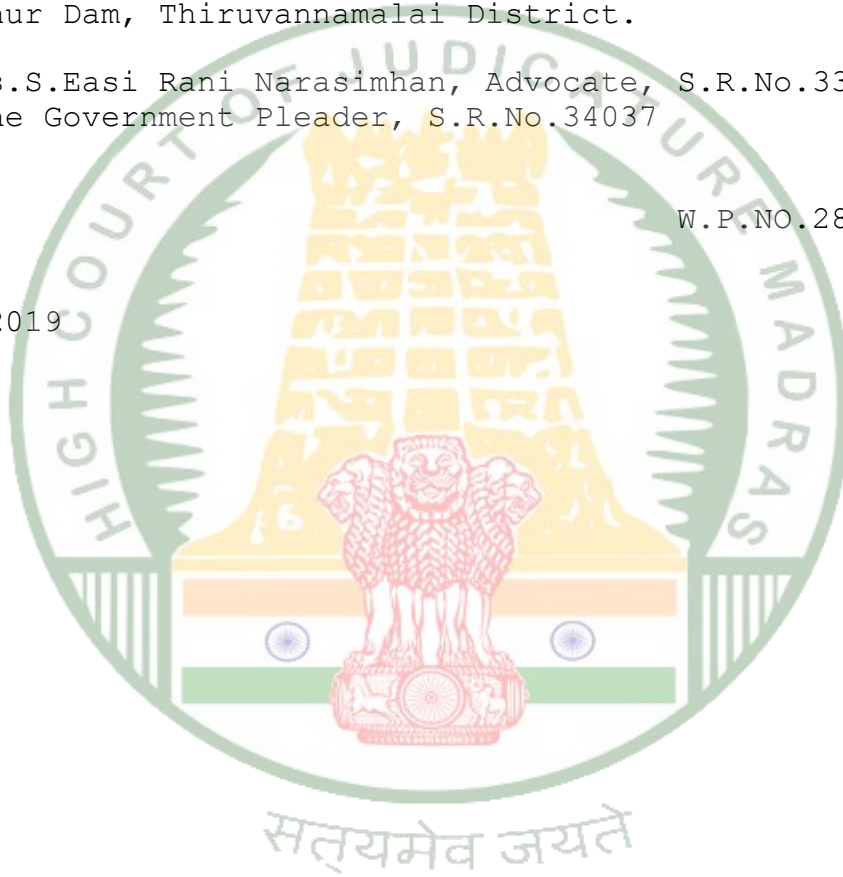
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+1cc to Ms.S.Easi Rani Narasimhan, Advocate, S.R.No.33033
+1cc to the Government Pleader, S.R.No.34037

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VBA(CO)
CS/13/05/2019



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