



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.12.2019**

CORAM:

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**THE HONOURABLE MR.JUSTICE A.P.SAHI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD**

W.A.[MD]No.337 of 2012

Against

WP (MD)No.13935 of 2011

T.Arikrishnan

: Appellant/ Petitioner

Vs.

1.The Assistant Manager P & IR,
Kudankulam Nuclear Power Project,
Kudankulam Post,
Radhapuram Taluk,
Tirunelveli District - 627 106.

2.Sudalaikan.N,
Helper,
Operation and Maintenance Section,
Kudankulam Nuclear Power Project,
Radhapuram Taluk,
Tirunelveli District
Tirunelveli District - 627 106.

: Respondents/ Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the orders passed by the learned Single Judge in W.P.(MD) No.13935 of 2011 dated 08.12.2011 by allowing this writ appeal.

Prayer in WP(MD). 13935/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to extend and confirm the services of the Petitioner with permanent status and place the Petitioner at par with the 2nd respondent namely Sudalaikan N. with seniority promotion, continuity of service along with back wages and other appurtenant relief by considering the Petitioner's various representations including dated 19.01.2010 and 25.02.2010.

For appellant : Mr.T.Lajapathi Roy

For 1st respondent : Mr.C.Muthusaravanan

for M/s. Ramasubramaniam Associates

For 2nd respondent : No appearance



JUDGMENT

[Judgment of the Court was delivered by
The Hon'ble Chief Justice]

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We have heard the learned Counsel for the appellant and the contention raised at this stage is that the respondent should be commanded to at least sympathetically consider the engagement of the appellant. Learned counsel for the appellant has submitted that he does not seek the same relief as was prayed for in the writ petition viz., for extension of confirmation/ regularization of his service and he only wants a sympathetic consideration of engagement as others, who were appointed along with him and had been extended the benefit of regular engagement.

2. The learned Single Judge has dismissed the writ petition indicating that there were criminal cases against the appellant. The learned counsel contends that in none of the criminal cases has the appellant been indicted or convicted and therefore, in the background of aforesaid, they should be treated as cases of false implication.

3. We are not inclined to accept the aforesaid prayer made, without prejudice to the rights of the appellant to seek employment wherever he can possibly approach, but there is no reason to interfere with the impugned judgement. Consequently the appeal is consigned to records. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

+1 CC to M/s.C.MUTHUSARAVANAN, Advocate (SR-105472[F] dated 17/12/2019
+1 CC to M/s.T.LAJAPATHIROY, Advocate (SR-105898[F] dated 19/12/2019

JUDGMENT MADE IN
W.A.[MD]No.337 of 2012
17.12.2019

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