

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.17110 of 2020

A.Danaradjou

... Petitioner

-Vs-

1. The Under Secretary to Government,
Government of Pondicherry,
Transport Department (Secretariat Wing),
Pondicherry.

2. The Transport Commissioner,
Transport Department,
Pondicherry.

... Respondents

Prayer :

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to absorb and regularise the service of the petitioner who has working as Daily Rated Clerk to Lower Division Clerk (LDC) or in any other equivalent Group 'C' post from the date of his appointment order dated 12.10.1998 with all attendant benefits.

For Petitioner : Ms.Usha Ramman

For Respondents : Mr.D.Ravichander, AGP

सत्यमेव जयते
O R D E R

The petitioner has come up with this writ petition seeking direction to the respondents to absorb him on regular service for the respondent Department.

2. According to the petitioner, he has been working as Daily Rated Clerk for several years without being granted the benefit of regularisation.

3. This Court finds that the petitioner seeking regularisation of service under the Union Territory of Pondicherry which is a Central Government Service. The relief as prayed for by the petitioner is amenable within the jurisdiction

of Central Administrative Tribunal, Chennai Bench and in that view of the matter, this writ petition is not maintainable since the Administrative Tribunal Act, 1985, provides for a specific remedy before the Tribunal, as forum of first instance. Therefore, it is open to the petitioner to approach this Court bypassing the remedy available under the Administrative Tribunal Act, 1985.

4. In the circumstances, this writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gsk

To

1. The Under Secretary to Government,
Government of Pondicherry,
Transport Department (Secretariat Wing),
Pondicherry.
2. The Transport Commissioner,
Transport Department,
Pondicherry.

+lcc to Ms.Usha Ramman, Advocate, S.R.No.39522
+lcc to the Government Pleader, S.R.No.39267

W.P.No.17110 of 2020

CP(CO)
CS/04/03/2021

सत्यमेव जयते

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