

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 15.03.2021

CORAM :
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
W.P.No.6545 of 2021

P.Alexandar

... Petitioner

Vs.

1.The President,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,
Thirupattur District - 635 812.

2.The Secretary,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,
Thirupattur District - 635 812.

3.The Head Master,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,
Thirupattur District - 635 812.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to select and appoint the Petitioner as Night Watchman on a permanent basis in Ambur Co-operative Sugar Mills Higher Secondary School situated at Vadapudupet, Ambur Taluk, Thirupattur District, based on the Certificate issued by the 3rd Respondent, dated 21.10.2020.

For Petitioner : Mrs.Nalini Chidambaram, Sr. Counsel
for Ms.C.Uma
For 1st Respondent : Mr.P.Balaramesh
For Respondents 2 &3: Mr.G.B.Rajesh

ORDER

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to select and appoint him as Night Watchman on a permanent basis in Ambur Co-operative Sugar Mills Higher Secondary School situated at Vadapudupet, Ambur Taluk, Thirupattur District, based on the Certificate dated 21.10.2020, issued by the 3rd Respondent.

2. According to the Petitioner, he has been working as a Night Watchman (PTA) in the Respondent School on temporary

basis. He received the interview letter dated 24.02.2021 to attend the interview on 01.03.2021 at 10.00 a.m. for the post of Night Watchman on permanent basis with Government scale of pay. However, citing Model Code of Conduct dated 26.02.2021 issued by the Election Commission, Respondents cancelled the interview. Hence, the Petitioner caused a legal notice to recall the cancellation of the interview and select him on a permanent basis in the post of Night Watchman.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Though the Petitioner has sought for an order of interim injunction restraining the Respondents from terminating his services, learned counsel for the Petitioner pleaded that, the present status may continue till the regular interview is conducted, as Election Notification has nothing to do with the interview that has to be conducted.

5. In any event, the interest of the Petitioner has to be protected for the present. As the Petitioner is already said to be working on a temporary basis, this Court orders that, the present status shall continue till regular selection takes place. It is made clear that, if the Petitioner is selected to the post of Night Watchman based on the interview, he can be appointed on a permanent basis.

The Writ Petition is ordered accordingly. No costs. Consequently, connected W.M.P.No.7129 of 2021 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1.The President,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,
Thirupattur District - 635 812.

2.The Secretary,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,

Thirupattur District - 635 812.

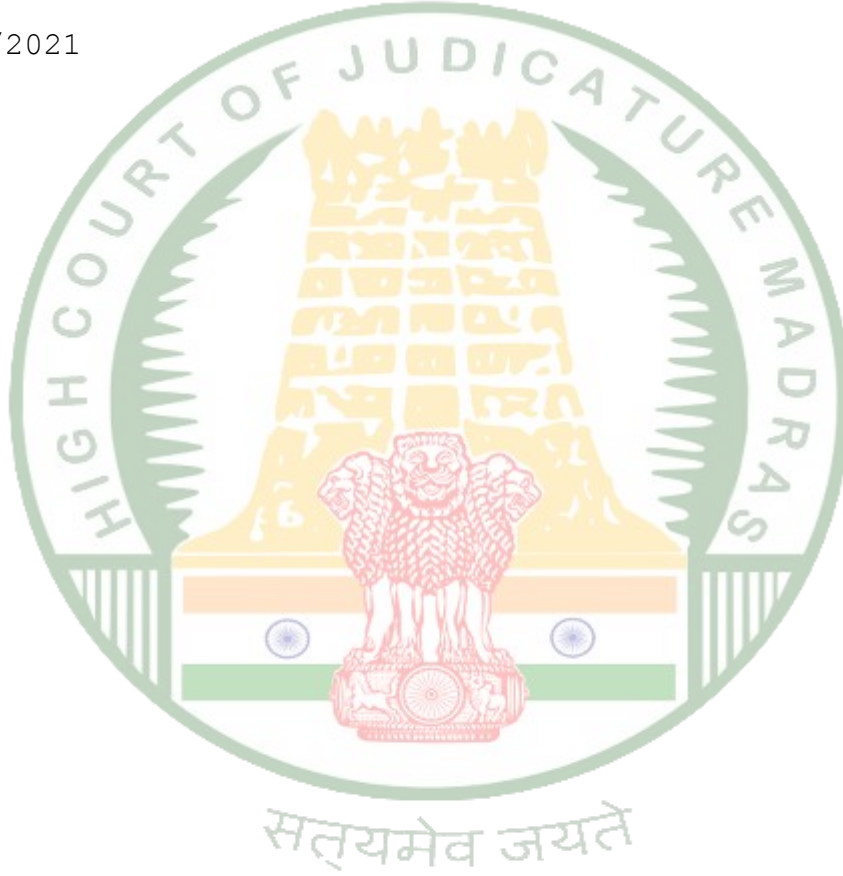
3.The Head Master,
Ambur Co-operative Sugar Mills
Higher Secondary School,
Vadapudupet, Ambur Taluk,
Thirupattur District - 635 812.

+cc to M/s.C.Uma, Advocate Sr.No.16543

+cc to Mr.R.Balaramesh, Advocate Sr.No.16645

W.P.No.6545 of 2021
(2/2)

PL(CO)
baf 05/05/2021



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