



W.P.No.1811 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1811 of 2023

N.Sabarinathan

... Petitioner

Vs.

1. The District Collector,
Kallakurichi,
Kallakurichi District.
2. The District Revenue Officer,
Kallakurichi District.
3. The Block Development Office,
Kallakurichi,
Kallakurichi District.
4. The Panchayat President,
Panchayat Office,
KA.Mamanathal Village,
Kallakurichi, Kallakurichi District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to take necessary action against the fourth respondent pursuant to the petitioner's representation dated 26.12.2022.



WEB COPY



W.P.No.1811 of 2023

For Petitioner : Mr.T.Balachandran
For Respondent : Mrs.Vijayadevi
Nos.1 and 2 Government Advocate
For Respondent : Ms.Yamunadevi
Nos.3 and 4 Special Government Pleader

- - - - -

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the third respondent to act upon the representation made by the petitioner on 26.12.2022.

2. Heard Mr.T.Balachandran, learned counsel appearing for the petitioner, Mrs.Vijayadevi, learned Government Advocate appearing for respondent Nos.1 and 2 and Ms.Yamunadevi, learned Special Government Pleader appearing for respondent Nos.3 and 4.

3. The case of the petitioner is that his father was working as a Tank Operator and after his retirement, the petitioner was engaged on a temporary basis by virtue of a resolution passed by the third respondent. The grievance of the petitioner is that attempts are being made to terminate the



W.P.No.1811 of 2023

services of the petitioner and to appoint some other person as Tank Operator.

Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. In the considered view of this Court, the temporary appointment of the petitioner by virtue of the resolution passed by the fourth respondent does not give any legal right for the petitioner to claim for permanency in his employment as Tank Operator. The appointment can be made only by inviting applications in accordance with the Service Rules and temporary appointment by passing resolution can never be recognised as a valid appointment.

5. This Court does not find any merit in this Writ Petition and hence, the same is dismissed. There shall be no order as to costs.

27.01.2023

asi



WEB COPY



W.P.No.1811 of 2023

N.ANAND VENKATESH, J.

asi

To

1. The District Collector,
Kallakurichi,
Kallakurichi District.
2. The District Revenue Officer,
Kallakurichi District.
3. The Block Development Office,
Kallakurichi,
Kallakurichi District.
4. The Panchayat President,
Panchayat Office,
KA.Mamanathal Village,
Kallakurichi, Kallakurichi District.

W.P.No.1811 of 2023

27.01.2023