



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.01.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**W.P No.1137 of 2023**

Mariadass

Petitioner

vs.

1.The District Collector,  
Kanchipuram District, Kanchipuram.

2.The Block Development Officer,  
Thiruporur Panchayat Union,  
Thiruporur.

3.The Panchayat President,  
Kelambakkam Panchayat,  
Kelambakkam,  
Kanchipuram District.

4.The District Collector,  
Chengalpattu District.

Respondents

*[R4 suo motu impleaded vide order dated 19.01.2023 made in W.P.No.1137 of 2023)*

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India  
for issuance of a Writ of Mandamus, directing the respondents



particularly the 2nd and 3rd respondent to allocate the Sanitary Supervisor Job in Kelambakkam Panchayat Union to petitioner till his retirement i.e. 10.05.2023 considering his medical ailment.

For Petitioner : Mr.G.Mohammed Aseef  
For Respondent : Mr.Stalin Abhimanyu  
Additional Government Pleader  
for R1 & R4  
  
Mr.P.Sathish  
Additional Government Pleader  
for R2 & R3

### **ORDER**

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation made by the petitioner and to permit him to work as a Sanitary Supervisor in Kelambakkam Panchayat Union till his retirement on 10.05.2023.

2.When the matter came up for admission on 19.01.2023, this Court took into consideration the fact that the petitioner is suffering from some ailments and that he is going to retire on 10.05.2023 and there is



going to be no additional outflow of funds by engaging him as Sanitary Supervisor and hence this Court directed the learned counsel appearing on behalf of the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to take instructions and report before this Court.

3. When the matter was taken up for hearing today, the learned Government Advocate submitted the instruction received from the 3<sup>rd</sup> respondent, dated 30.01.2023. On going through the instructions, it is clear that the petitioner has been working for the last 20 years as a temporary employee. He was engaged as a Sweeper and on certain occasions, considering his health conditions, he was also engaged as a Supervisor. According to the 3<sup>rd</sup> respondent, the petitioner is causing some trouble if he is engaged as a Supervisor and he is not allowing others to work. Hence, the petitioner was continued to be engaged as a Sweeper and not allowed to do the supervisory work.

4. In the considered view of this Court, this Court will not normally interfere with the administrative decisions of the Panchayat. However, the petitioner is in the verge of retirement and admittedly he is facing some



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health issues. Hence, the petitioner shall be continued to be engaged as Sanitary Supervisor till his retirement. The engagement of the petitioner as a Sanitary Supervisor will not in any way entitle the petitioner to seek for any additional wages. It is also made clear that if the petitioner indulges in activities, which affects the regular work of the other employees, it is always left open to the 3<sup>rd</sup> respondent to take action in accordance with law.

5.This writ petition is disposed of in the above terms. No Costs.

**30.01.2023**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation Case : Yes/No  
SSR

To

- 1.The District Collector,  
Kanchipuram District, Kanchipuram.
- 2.The Block Development Officer,  
Thiruporur Panchayat Union,  
Thiruporur.



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3. The Panchayat President,  
Kelambakkam Panchayat,  
Kelambakkam, Kanchipuram District.

4. The District Collector,  
Chengalpattu District.



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**N. ANAND VENKATESH, J.**

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**W.P No.1137 of 2023**

**30.01.2023**