



WEB COPY



WP.No.13851 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.13851 of 2013

1. K.Kanchana
2. R.Devisheela
3. R.Elaiyarasi
4. A.Arumaikannu
5. N.Vengai Ilavarasi
6. D.Pragash
7. S.Rekha
8. N.Nithyanandham
9. T.Thenamudhaarasi
10. K.Parimala
11. R.Rajesh
12. N.Jayaganesh
13. S.Murugeswari
14. R.Vinothkumar
15. D.Aswini
16. B.Aruljothi
17. R.Pavithra
18. A.Tamilselvi
19. S.Jagadeswari
20. N.Pravin

.... Petitioners

Vs

1. The Registrar of Co-operative Societies,
Co-operative Department, Puducherry.



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2. The Deputy Registrar-cum-Managing
Director, Pondicherry State Co-operative
Union Ltd., Co-operative Department,
Puducherry.

3. The Principal, Arts and Science College,
Pondicherry State Co-operative
Union Ltd., Puducherry.

4. The Principal, B.Ed. College,
Pondicherry State Co-operative
Union Ltd., Puducherry.

5. The Principal, D.Ed. College,
Pondicherry State Co-operative
Union Ltd., Puducherry.

6. The Pondicherry Institute of
Co-operative Management.

.... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent in respect of termination order dated 04.04.2013 and quash the same and consequently to direct the respondents to reinstate the petitioners into service and to regularize their services with effect from the date on which they are appointed with all other consequential benefits.

For Petitioner	:	Mr.V.Ajayakumar
For R1 & R2	:	Mrs.V.Usha
		Additional Government Pleader (Pondy)
For R4 to R6	:	Mr.R.Sreedhar
		Additional Government Pleader (Pondy)



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ORDER

This Writ Petition has been filed challenging the order dated 04.04.2013 passed by the second respondent, thereby terminating the petitioners who are daily labourers.

2. Heard Mr.V.Ajayakumar, learned counsel appearing for the petitioner, Mrs.V.Usha, learned Additional Government Pleader (Pondy) appearing for the respondents 1 & 2, Mr.R.Sreedhar, learned Additional Government Pleader (Pondy) appearing for the respondents 4 to 6 and perused the materials available on record.

3. The petitioners were engaged on daily rated basis in different categories, viz., Junior Clerk, Attender and Driver, under the Pondicherry Co-operative Union Ltd., by the respondents. After completion of work, they were disengaged by the fourth respondent. It shows that they were engaged on stop gap basis and they were not appointed in regular and permanent vacancies. Therefore, they cannot be termed as employee and it would amount to part time, since they were not engaged on any vacancy through employment exchange. Therefore, this Court finds no infirmity or



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illegality in the order dated 04.04.2013 passed by the second respondent.

Thus, the writ petition is devoid of merits and is liable to be dismissed.

4. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

20.07.2023

Index: Yes/No

Internet: Yes/No

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To

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Union Ltd., Puducherry.

6. The Pondicherry Institute of
Co-operative Management.

G.K.ILANTHIRAIYAN,J.



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