



W.P.No.20437 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HONOURABLE DR. JUSTICE D.NAGARJUN

W.P.No.20437 of 2013

S.Ravi

...Petitioner

Vs

1. Secretary to the Government,
(Local Administration)
Fort St.George
Chennai 600 009.
2. The Director of Rural Development
Panagal Buildings,
Saidapet, Chennai – 600 015.
3. The District Collector,
Collectorate, Tiruvarur.
4. The Commissioner,
Panchayat Union,
Kottur, Tiruvarur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, calling for the records of the fourth respondent in his proceedings No.1283/01/A5 dated 17/06/2010 and after quashing the same direct all the respondents to consider the representation dated 04.02.2001 as per the order dated 24.06.2002 passed by the Tamil



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Nadu Administrative Tribunal in O.A.No.3423 of 2002 for appointment as
Office Assistant in the Kottur Panchayat Union.

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For petitioner : No appearance
For R1 and R2 : Ms.C.Sangamithirai
Special Government Pleader
For R4 : Mr.P.Chinna Durai

JUDGMENT

This writ petition is filed seeking for questioning the proceedings No.1283/01/A5 dated 17/06/2010 and to consider the petitioner's representation dated 04.02.2001.

2. According to the affidavit the facts in brief is as follows:

2.1. The petitioner was appointed as Cholera Mazdoor in Kottur Panchayat Union in the year 1998 only on a temporary basis. When his service was terminated he filed O.A.No.6338 of 1998 along with two others and direction was given not to disturb the petitioners therein including the petitioner herein.



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2.2. He subsequently filed another O.A.No.3423 of 2002 which was disposed of directing the respondents therein to dispose of the representation of the petitioner dated 04.07.2001. The Government has recommended appointment of employees on compassionate grounds and also regularization of the services of the people who were working for more than ten years.

2.3. The petitioner had filed a writ petition and order dated 14.09.2010 in W.P.No. 20198 of 2002 was disposed of directing the respondents to consider the representation of the petitioner dated 04.02.2001. The fourth respondent has issued proceedings dated 17.06.2010 rejecting the representation of the petitioner without referring to the order dated 14.09.2010 in W.P.No.20198 of 2009 and referring the orders dated 05.01.2009 in W.P.Nos.29166 and 29167 of 2004.

3. Learned counsel for respondents 1 and 2 and learned counsel for respondent four are present. No representation on behalf of the petitioner.



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4. The learned counsel appearing on behalf of the fourth respondent submitted that the petitioner was originally appointed as Cholera Mazdoor by the fourth respondent on temporary basis on 15.02.1988 and since it was temporary appointment, there was no necessity for the continuance of such post as per the policy of the Government, his services were terminated with effect from 31.01.1998.

5. The petitioner has given a representation to the fourth respondent questioning his termination and when it was not disposed of, the writ petitioner filed a writ petition in W.P.No.20198 of 2009 wherein this Court has directed the respondents to dispose of the representation of the writ petitioner dated 04.02.2001, as per the order passed by the Tamil Nadu Administrative Tribunal in O.A.No.3423 of 2002 and it was disposed of on 17.06.2010. Challenging the same, the present writ petition is filed.

6. The learned counsel for the fourth respondent also submitted that the matter has already been decided in W.P.No.33441 of 2007 dated



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06.06.2011 reported in **2011 SCC online Madras 2793.**

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7. Today, this matter is listed under the caption “for dismissal” even then the learned counsel representing the petitioner has failed to appear before this Court. Considering the circumstances it shows that the petitioner has no interest to prosecute this case.

Accordingly, this writ petition is dismissed. Costs made easy.

02.11.2023

Vca

Index : Yes/No

Internet : Yes/No

Neutral Citation Case : Yes/No

To

1. Secretary to the Government,
(Local Administration)
Fort St.George
Chennai 600 009.

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Dr.D.NAGARJUN.,J

vca

2. The Director of Rural Development
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Saidapet,
Chennai – 600 015.
3. The District Collector,
Collectorate, Tiruvarur.
4. The Commissioner,
Panchayat Union,
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