



W.P.(MD)Nos.10295 & 10280 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.10295 & 10280 of 2020

and

W.M.P(MD) Nos.9166, 9169, 9170, 9172, 9156, 9157 & 9162 of 2020

S.Sudalai : Petitioner in W.P.(MD)No.10295 of 2020

Udaiyar Murugan : Petitioner in W.P.(MD)No.10280 of 2020

Vs.

1.The State of Tamil Nadu
Rep. by the Director,
Directorate of Town Panchayat,
Kurazhagam,
Chennai - 600108.

2.The District Collector
District Head of Revenue and Disaster
Management Department,
Tuticorin District
Tuticorin.



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3. The Assistant Director Town Panchayat/
Special Officer,
Tirunelveli Zone,
Tirunelveli

4. The Assistant Director
Local Fund Audit,
Tuticorin,
Tuticorin District.

5. The Executive Officer
Srivaigundam Town Panchayat,
(Selection Grade Panchayat),
Srivaigundam,
Tuticorin District.

: Respondents

COMMO PRAYER : PetitionS filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned notification in Na.ka.No. 3783/2019/Pa4, dated 03.08.2020 issued by the third respondent and quash the same is illegal only in so far as serial No.12 for the post of Aanitation Worker alone and consequently direct the respondents to regularize the petitioners' service as a permanent Sanitation Worker in Srivaigundam Town Panchayat from 01.02.2012 with all the attendant benefits



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In both cases

For Petitioners : Mr.P.M.Vishnuvarthanan
For Respondents : Mrs.K.Christy Theboral,
Additional Government Pleader

COMMON ORDER

Since both the writ petitions are similar in nature, a common order is passed in both the writ petitions.

2. The learned counsel for the petitioners submitted that the petitioners appointed as Sanitary Worker in the fifth respondent Panchayat in the year 2011 and till date, their service was not regularised. However, subsequently, the respondents had issued a recruitment notification for recruiting Sanitary Worker and other post. Challenging the same, these writ petitions are filed.

3. The learned counsel for the petitioners submitted that though the petitioners have *no locus standi* to file a writ petition, challenging the recruitment process, however, there are number of persons working in the



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Town Panchayat and without considering the same, issuing recruitment notification is not sustainable one, on the sole ground the writ petitions are filed. However, the learned counsel for the petitioners submitted that this Court may permit the petitioners to participate in the future selection process in the manner known to law.

4. Considering the limited request made by the learned counsel for the petitioners, liberty is granted to the petitioners to work out their remedy in the manner known to law, if so advised, though they participate in the future selection process for the post.

5. With the above observation, these writ petitions are dismissed.
No costs. Consequently, connected miscellaneous petitions are closed.

06.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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M.DHANDAPANI, J.

RM

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