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W.P.(MD)NO.18994 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18994 of 2020 and
W.M.P.(MD)No.15925 of 2020

A.Uthiran,
S/o.Aandi,
Animator,
Oddanchathiram Municipality,
Oddanchathiram,
Dindigul District.

... Petitioner

Vs.

1. The Union of India,
Rep. By its Joint Secretary,
Department of Drinking Water and Sanitation,
Ministry of Jal Sakthi,
4th Floor, Pt. Deendayal Antyodaya Bhawan
(formerly Paryavarn Bhawan),
CGO Complex, Lodhi Road,
New Delhi – 110 003.
2. The Government of Tamil Nadu,
Rep. By its Principal Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Secretariat,
Chennai – 600 009.
3. The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Santhome High Road,
Chennai – 600 028.



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4. The Regional Director of
Municipal Administration,
Madurai Region, Madurai.

5. Oddanchathiram Municipality,
Rep. By its Commissioner,
Oddanchathiram,
Dindigul District.

6. The Sanitary Inspector,
Oddanchathiram Municipality,
Oddanchathiram,
Dindigul District.

7. Veerabagu

8. Sky Man Power Agency,
Rep. By its Managing Director,
No.53-A, AMC Road,
Bus Stand East, Dindigul – 3.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 to 6 and 8 from preventing the petitioner from working as Animator in the 5th respondent Municipality,

For Petitioner : Mr.R.Subramanian

For R-1 : Mr.K.Asok Kumar Ram,
Special Panel Counsel.

For R-2 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.

For R-5 & R-6 : Mr.L.P.Maurya

For R-8 : Mr.J.Lawrance

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**ORDER**

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Heard the learned counsel on either side.

2. The fifth respondent municipality entered into a contractual arrangement with the eighth respondent. The petitioner herein was serving the local body through the said contractual arrangement. The fact remains that the petitioner was not a municipality employee. The municipality was not his employer. The petitioner was getting his monthly pay only from the eighth respondent.

3. In these circumstances, the question of maintaining the writ petition does not arise at all. This writ petition stands dismissed. What rights the petitioner may have against the eighth respondent are left open. It is open to the petitioner to question the same in the manner known to law through the appropriate forum. No costs. Consequently, connected miscellaneous petition is closed.

24.04.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The Principal Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Secretariat,
Chennai – 600 009.
2. The Commissioner of Municipal Administration,
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G.R.SWAMINATHAN,J.

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