



WEB COPY



W.P.No. 5289 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5289 of 2020

and

W.M.P.Nos.6233 to 6235 of 2020 & 27055 of 2024

P.Shankar

....

Petitioner

Vs

1.The District Collector,
O/o. The District Collector,
Collectorate,
Kallakurichi -606 202.

2.The Commissioner,
Panchayat Union,
Chinnasalem Taluk,
Kallakurichi -606 201.

....

Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned Order in Na.Ka.No. A1/2958/2019 dated 31.01.2020 of the 2nd respondent and to quash the same and consequently direct the respondents to regularise the service of the petitioner with effect from 03.08.1999, by appointing the petitioner as Full Time Night Watchman in the Chinnasalem Panchayat Union and absorbing the petitioner as a regular employee, with all attended benefits, as per the proposal of the 2nd respondent made vide proceedings in



W.P.No. 5289 of 2020

Na.Ka.A1.637/2015 dated 28.12.2015.

WEB COPY

For Petitioner : Mr.R.Gopinath
For R1 : Mr.C.Kathiravan
Special Government Pleader
For R2 : Mr.M.S.Premkumar

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 31.01.2020, thereby rejected the request made by the petitioner to appoint him as Full Time Night Watchman in the Chinnasalem Panchayat Union.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as Sweeper under consolidated salary in the Chinnasalem Panchayat Union by a proceedings dated 03.08.1999 by the second respondent. While being so, the petitioner submitted a representation seeking appointment of Night Watchman in the Chinnasalem Panchayat Union, since Night Watchman got retired and fell vacant. On receipt of such representation, the second respondent rejected the request made by the petitioner on the ground that there is no



W.P.No. 5289 of 2020

provision to appoint the petitioner as Full Time Night Watchman by transfer. The post of Night Watchman is completely different post and it has to be recruited through proper channel.

4. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent dated 31.01.2020. Thus, the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

01.10.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No

Lpp

To

1.The District Collector,
O/o. The District Collector,
Collectorate,
Kallakurichi -606 202.



WEB COPY



W.P.No. 5289 of 2020

G.K.ILANTHIRAIYAN, J.

Lpp

2.The Commissioner,
Panchayat Union,
Chinnasalem Taluk,
Kallakurichi -606 201.

W.P.No.5289 of 2020

01.10.2024