



W.P.No.14921 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.14921 of 2021

A.Rani

... Petitioner

/vs/

1.The District Collector,
Nagapattinam District,
Nagapattinam.

2. The Block Development Officer (Village Panchayat),
Kilvelur Panchayat Union,
Nagapattinam District.

3. The President,
Manalur Village Panchayat,
Kilvelur Taluk,
Nagapattinam District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to permit the petitioner to continue her service as “Worksite Supervisor” in the Manalur Village Panchayat, Kilvelur Taluk, Nagapattinam District as per her



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appointment order dated 10.11.2011 in the MGNREG (Mahatma Gandhi National Rural Employment Guarantee) Scheme.

For Petitioner ... Mr.M.R.Kuyilan

For Respondents ... Mr.T.Chezhiyan
Additional Govt. Pleader for R1

Mr.C.Jayaprakash
for R2 & R3

ORDER

Heard Mr.M.R.Kuyilan, the learned counsel for the petitioner, Mr.T.Chezhiyan, the learned Additional Government Pleader for R1 and Mr.C.Jayaprakash, the learned counsel for R2 & R3.

2. The petitioner has filed this writ petition seeking a writ of mandamus to direct the respondents to permit her to continue her service as “Worksite Supervisor” in the Manalur Village Panchayat, Kilvelur Taluk, Nagapattinam District as per her appointment order dated 10.11.2011 in the MGNREG (Mahatma Gandhi National Rural Employment Guarantee) Scheme.



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3. The petitioner was employed under MGNREG (Mahatma Gandhi National Rural Employment Guarantee) Scheme of the Central Government towards “100 days employment” on 11.05.2010. He was later appointed as “Worksite Supervisor” by the second respondent. On 11.03.2020 a circular was issued by the Director of Rural Development and Panchayat Raj to all District Collectors / Chairman of District Rural Development Agency stating that the designated Worksite Supervisor should not be changed without the knowledge of the concerned Project Director, DRDA / Block Development Officer.

4. On 21.03.2020, another memo was issued by the second respondent to the third respondent for specifically instructing him not to change the designated Worksite Supervisor without the knowledge of the first respondent. But, without following the said instructions, during the month of June, 2021 the third respondent had orally instructed the petitioner not to come forward and stop him from assigning from any work to him. The representation made by the petitioner did not evoke any positive response and hence the petitioner has filed this writ petition.



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5. Mr.T.Chezhiyan, the learned Additional Government Pleader for the first respondent, submitted that the petitioner's services have been utilized only on contract basis and once the contract comes to an end, the engagement of the petitioner will get terminated automatically and hence the petitioner cannot seek any continuous employment.

6. However it is claimed by the petitioner that he has been in continuous service for 10 years and his services have been terminated all of a sudden.

7. It does not seem that the Government has formulated any scheme or passed any orders to absorb those persons who have been appointed and whose services have been utilized for several years. Even as per the appointment order, the petitioner was appointed as a daily wager. It is up to the Government to consider the petitioner and like others whose services have been utilized for decades for regularization by way of framing any scheme or passing any suitable orders.



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8. With the above observation, this writ petition is disposed. No

costs.

26.03.2024

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To:

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Nagapattinam District.
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Nagapattinam District.



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R.N.MANJULA ,J.

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