



W.P.No.35533 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.01.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.35533 of 2023

V.Manivannan

... Petitioner

-Vs-

1.Government of Tamil Nadu,
Rep.by its Secretary,
Commercial Tax & Registration (M2) Department,
Secretariat, St.Fort George,
Chennai-600 009.

2.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.120, Santhome High Road,
Chennai-600 028.

3.The Special Deputy Collector (Stamps),
O/o.The District Collector,
Salem.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to regularize the service of the petitioner as a Driver in the 3rd respondent's office from 16.08.2018 till date with all back wages within a stipulated period as fixed by this Court.



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For Petitioner : Mr.S.Parthasarathy

For Respondents : Mr.S.Rajesh, Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to regularise the service of the petitioner as Driver in the 3rd respondent office from 16.08.2018.

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

3. The petitioner was appointed as Jeep Driver by the 3rd respondent temporarily and he was paid consolidated salary. From the month of October 2023 onwards, the petitioner was not given any job. Therefore, the petitioner submitted a representation to regularise his post as Driver from the initial date of his appointment on temporary basis, that too, under consolidated salary, i.e., from 16.08.2018.

4. A perusal of the order of appointment dated 25.07.2018 reveals that the petitioner was appointed on temporary basis and he was



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paid a consolidated salary. In fact, he was appointed through private agency and he was paid consolidated salary. Therefore, he was appointed whenever need to the post of Driver on temporary basis, after filling up the vacancy by proper recruitment, the petitioner was not given any job. Therefore, the representation submitted by the petitioner cannot be considered and the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. No costs.

04.01.2024

Internet : Yes
Index : Yes/No
Lpp

To

1.The Secretary,
Government of Tamil Nadu,
Commercial Tax & Registration (M2) Department,
Secretariat, St.Fort George,
Chennai-600 009.



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