



W.P.(MD) No.27 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.27 of 2021
and
W.M.P.(MD) No.809 of 2021

- 1.J.Balasaravanan
- 2.M.Ramakrishnan
- 3.A.Murthi
- 4.P.Venkadesan
- 5.S.Viveganandhan
- 6.A.Muneeshwaran

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep., by its Secretary to Government,
Youth Welfare and Sports Development Authority,
Secretariat, Chennai-9.
- 2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park, Chennai.
- 3.The Regional Senior Manager,
Sports Development Authority of Tamil Nadu,



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MGR Race Course Stadium,
Race Course Road, Madurai District.

4.The District Collector,
Ramanathapuram District,
Ramanathapuram.

5.The District Sports and Youth Welfare Officer,
Sports Development Authority of Tamil Nadu,
Seethakadhi Sethupathi Stadium,
Ramanathapuram District.

6.T.Senthil Kumar,
District Sports and Youth Welfare Officer,
Sports Development Authority of Tamil Nadu,
Seethakadhi Sethupathi Stadium,
Ramanathapuram District.

7.M.Kamaleshwaran,
Junior Assistant,
Sports Development Authority of Tamil Nadu,
Seethakadhi Sethupathi Stadium,
Ramanathapuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, to direct the 5th respondent to permit the petitioners to continue to discharge their official functions in their respective posts as Life Guard, Gardener cum Sweeper and Electrician with Pump Operator at SDAT Swimming Pool, Seethakadhi Sethupathi Stadium, Collectorate Complex, Ramanathapuram District taking into consideration of the fact that the services of the petitioners were not terminated in the manner known to law.



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For Petitioners	:	Mr.Mohammed Imran for M/s.Ajmal Associates
For RR1 and 3 to 5	:	Mr.D.Sasikumar Additional Government Pleader
For R2	:	Mr.S.Santhosh Kumar
For RR6 & 7	:	No appearance

ORDER

This writ petition has been filed seeking a writ of mandamus to direct the 5th respondent to permit the petitioners to continue to discharge their official functions in their respective posts as Life Guard, Gardener cum Sweeper and Electrician with Pump Operator at SDAT Swimming Pool, Seethakadhi Sethupathi Stadium, Collectorate Complex, Ramanathapuram District on the ground that the services of the petitioners were not terminated.

2. When the matter is taken up for final disposal, it is brought to the notice of this Court by the learned counsel for Respondent No.2 that Respondent No.2 has offered employment to all the petitioners herein and



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WEB COPY accordingly, Petitioners No.2 to 5 have joined in the services of Respondent No.2 and they have been working with Respondent No.2. However, according to the learned counsel for Respondent No.2, Petitioners No.1 and 6 have declined to join the services in Respondent No.2 and therefore, they are not being continued.

3. However, learned counsel for the petitioners submitted that Petitioner No.1 is very much interested to work with Respondent No.2 and whereas Petitioner No.6 is not interested to work with Respondent No.2.

4. Taking into consideration the submission made as above, the relief sought in respect of Petitioners No.2 to 5 has become infructuous. As Petitioner No.6 is not interested to work with Respondent No.2, the writ petition is dismissed, insofar as Petitioner No.6 is concerned. Insofar as Petitioner No.1 is concerned, learned counsel appearing for Respondent No.2 fairly submitted that in case, Petitioner No.1 approaches Respondent No.2 by making appropriate application, the same would be considered by Respondent No.2.



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5. In the light of the above, this Writ Petition is disposed of permitting Petitioner No.1 to make representation to Respondent No.2 within a period of three weeks from the date of receipt of a copy of this order and on submission of such representation, Respondent No.2 is directed to consider the same and pass appropriate orders within a further period of four weeks duly considering the case of Petitioner No.1 on par with Petitioners No.2 to 5. No costs. Consequently, connected miscellaneous petition is closed.

05.03.2024

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

ABR

To

1.The Secretary to Government,
The State of Tamil Nadu,
Youth Welfare and Sports Development Authority,
Secretariat, Chennai-9.



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2. The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park, Chennai.
3. The Regional Senior Manager,
Sports Development Authority of Tamil Nadu,
MGR Race Course Stadium,
Race Course Road, Madurai District.
4. The District Collector,
Ramanathapuram District,
Ramanathapuram.
5. The District Sports and Youth Welfare Officer,
Sports Development Authority of Tamil Nadu,
Seethakadhi Sethupathi Stadium,
Ramanathapuram District.

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