



W.P.(MD)No.13611 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.13611 of 2017

and

W.M.P.(MD)Nos.10648 to 10650 of 2017

N.Sasikala

: Petitioner

Vs.

- 1.The Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.800, Anna Salai,
Chennai – 600 002.
- 2.The Medical Officer,
Head Quarters Dispensary,
TNEB / TANGEDCO.,
N.P.K.R.R. Maligai,
800, Anna Salai,
Chennai – 02.
- 3.The Superintending Engineer,
O/o. The Superintending Engineer,
Generation Circle,
Maharaja Nagar,
Tirunelveli – 627 011,
Tirunelveli District.



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4.The Assistant Engineer,
TNEB / TANGEDCO,
Civil / Maintenance,
Periyar Power Project,
Lower Camp,
Theni District.

5.C.Priyanga : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Office Order No. 573/SEG/Tin/Adm/A1/F Mat Assistant/2017 dated 30.06.2017 on the file of the third respondent and quash the same as illegal and consequently to direct the third respondent to consider the petitioner for continuation in temporary service as the Maternity Assistant till the post is filled permanently within the time stipulated by this Court.

For Petitioner : Mr.G.Karthik
for M/s.T.Lajapathi Roy & Associates
For Respondents 1 to 4 : Mr.S.Arivalagan
Standing Counsel



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ORDER

The petitioner has challenged the appointment of the fifth respondent under the order of the third respondent dated 13.06.2017 in this Writ Petition.

2.As seen from the averments contained in the affidavit filed in support of this writ petition, the petitioner has been appointed as Maternity Assistant temporarily, on daily wages basis and the period of contract is for a particular period. Though, this period was extended from time to time, it cannot confer permanent status to the petitioner. In a case involving a similar issue, another learned Single Judge of this Court by order dated 29.01.2018 passed in W.P.(MD)Nos.17277 and 17278 of 2016, has held that since the petitioners were only appointed on contract basis and were also out-sourced and they were also not holding any regular posts, they are not allowed to challenge the termination orders.

3.The case on hand being of a similar nature and this Court being in agreement with the view taken by another learned Single Judge of this Court in the aforesaid decision, does not find any infirmity in the impugned order dated 30.06.2017 passed by the third respondent.



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4.In the result, there is no merit in this Writ Petition.

5.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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ABDUL QUDDHOSE, J.

MR

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