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W.A.No.687 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.687 of 2025

and

C.M.P.No.5684 of 2025

1.The Regional Deputy Commissioner,
North Regional Office,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 600 021.

2.Zonal Officer,
5th Zonal Office,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 600 021.

... Appellants

Vs.

S.Lakshmi

... Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order in W.P.No.28532 of 2024 dated 22.10.2024 by allowing the Writ Appeal.



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For Appellants : Mr.Shanmugam Gopinathan

For Respondent : Mr.S.Kumaraswamy

J U D G M E N T

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

Challenge is to the order of the writ Court dated 22.10.2024, in and by which, while rejecting the claim of the respondent that she was transferred from Zone - 5 to Zone - 4 by the proceeding dated 20.08.2024, the writ Court after recording the fact that the respondent has been permitted to work in Zone 5 with effect from 01.10.2024 had directed regularization of the period between 25.08.2024 and 30.09.2024, during which the respondent was not permitted to work by the officials of the Corporation.

2. The communication dated 20.08.2024 emanated from the office of the Regional Deputy Commissioner (North), Greater Chennai Corporation and was addressed to the Zonal officer, Zone - 5 of the Greater Chennai Corporation. A reading of that letter shows that the Regional Deputy Commissioner upon receipt of certain complaints against the respondent had required the Zonal Officer to transfer her to Zone - 4. It is not known as to how this interoffice



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communication reached the hands of the respondent resulting in the Writ

Petition challenging such communication. A reading of the communication

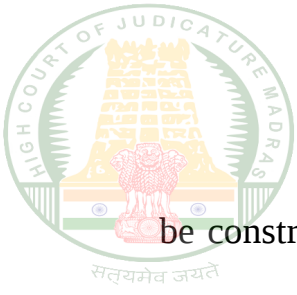
shows that there was no order of transfer. It was only a recommendation by the

Regional Deputy Commissioner (North) made to the Zonal Officer, Zone - 5

requiring him to place the petitioner's services in Zone - 4 instead of Zone - 5.

3. However, when the Writ Petition came up for hearing on 22.10.2024 it was represented by the learned counsel for the Corporation that the respondent has been permitted to work from 01.10.2024 in Zone - 5 itself. Therefore, the proceedings for transfer paled into insignificance. Recording the same the writ Court disposed of the Writ Petition, but, since it was found that the respondent was not permitted to work for the period from 25.08.2024 to 30.09.2024 for no fault of her, a direction was issued to regularize this period and extend the attendant benefits to the respondent. The Greater Chennai Corporation is aggrieved of the direction contained in paragraph No.8 alone.

4. Mr. Shanmugam Gopinathan, learned counsel appearing for the Greater Chennai Corporation would submit that the respondent is not a regular employee. She is working under the National Urban Livelihood Mission as daily wager. Therefore, this direction contained in paragraph No.8 should not



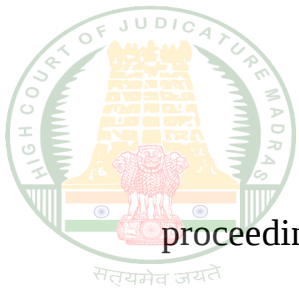
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be construed as a direction to regularize her services as a regular employee of the Corporation.

5. Noticing the fact that the controversy lies in a very narrow campus, we have permitted the learned counsel for the appellants/ Corporation to serve notice on Mr.S.Kumaraswamy, learned counsel who appeared for the respondent before the writ Court.

6. Upon service of notice Mr.S.Kumaraswamy is present in Court today and he would submit that the respondent would not claim any permanent status and she would be satisfied if the wages for the period between 25.08.2024 and 30.09.2024 is paid to her, because she was not allowed to work for no fault of her.

7. We therefore modify the direction contained in paragraph No.8 as a direction to pay wages for the period from 25.08.2024 to 30.09.2024 (both days inclusive). The respondent will not claim any permanency based on the observation of the writ Court. Any observation made by the writ Court or by us in this orders will not affect the claim of the respondent in any other



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proceeding, regarding regularization, that may be pending.

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8.The writ appeal is disposed of with the above direction. No costs.

Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (G.A.M.,J.)

24.03.2025

dsa

Index : No

Neutral Citation : No

Speaking order

To

1.The Regional Deputy Commissioner,
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