



WEB COPY

WP No. 27908 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

WP No. 27908 of 2019

1. D.Suresh

S/o.Dharmar, No.7/175, Adi Dravidar
Street, Ladapuram, Perambalur District

Petitioner(s)

Vs

1. The District Planning Organizer and
Additional Chief Educational Officer,
Collectorate, Perambalur and District

2.The District Elementary Officer
District Elementary Office, perambalur
District

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India to declare the oral termination of the petitioner on 06.06.2019 from the driver who was terminated by the 2nd respondent is as null and void and to give reinstate the petitioner as driver with the 2nd respondent with continuity service and all other attendant benefits.



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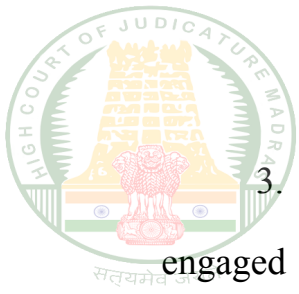
For Petitioner(s): P.Vijendran
V.Chithra
M.Leoprabhu

For Respondent(s): Ms.P.Rajarajeswari Spl
Government Advocate

ORDER

The petitioner has filed this writ petition seeking a writ of declaration to declare his oral termination issued by the 2nd respondent on 06.06.2019 as null and void and to reinstate the petitioner as driver with continuity service and all other attendant benefits.

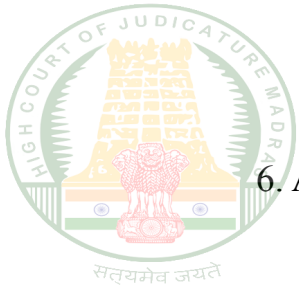
2. The petitioner claims that he has been appointed as Driver on daily wage basis in the year 2013 with the second respondent and continued to be in the service of the second respondent as daily wager. It is further submitted that the first respondent had issued an advertisement through 'Dinamalar' daily and requested rental cars for official purpose and the petitioner gave a quotation and he was selected and given work order from 25.11.2016 to 24.11.2017. The contract was extended on 29.11.2017 and thereafter it was further extended from 25.11.2018 to 24.11.2019. As the first respondent demanded bribe for further extension, the petitioner refused to pay. Hence the first respondent directed the second respondent to immediately stop the petitioner from employment on 06.06.2019.



3. Even according to the petitioner it is not clear whether he has been engaged as a Driver or whether he has been engaged as an outsource for transportation services pertaining to the respondent's office. At one stage he claims himself as a Daily wager and another stage he says that in pursuance to the notification issued by the first respondent, he sent a quotation giving a lowest quote and he was given with the contract for a certain period. As the petitioner claims himself as a daily wager and contractor, his case itself is not clear.

4. It appears from the certificate issued by the second respondent dated 03.12.2016 that prior to his engagement as Contractor the petitioner has been engaged as a daily wager from the year 2013 to 2015. Even then it is not known from that communication whether he has been in continuous services or not or whether he has claimed any right of permanency before the appropriate authority by filing appropriate application. The petitioner has also produced the proceedings dated 25.11.2016 which would show that he has been engaged as a contractor from the year 2016 to 2017.

5. As the petitioner himself is not clear about his case and he has straight away filed this writ petition which involves a lot of factual matrix, the petition is not maintainable.



6. Accordingly, this writ petition is dismissed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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Additional Chief Educational Officer,
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District



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R.N.MANJULA J.

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