



WEB COPY

WP No. 47325 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 47325 of 2025

and

WMP No.52829 of 2025

M.Sabari Nathan

Petitioner(s)

Vs

1. The Chief Engineer
Water Resources Department,
Chepauk, Chennai-600 005
- 2.The Superintending Engineer
Water Resources Department,
Pennaiyar Basin Circle,
Thiruvannamalai.
- 3.The Executive Engineer
Water Resources Department,
Lower Pennaiyar Basin Division,
Villupuram.
- 4.The Assistant Executive Engineer
Water Resources Department,
Lower Pennaiyar Basin Sub-division,
Tirukoilur, Villupuram.
- 5.The Assistant Engineer
Water Resources Department,
Irrigation Section,
Thiruvennainallur,
Villupuram District.

Respondent(s)

**PRAYER**

This Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorarified Mandamus, seeking to call for the records pertaining to the impugned order dated 23.06.2025 Ref. No.662/Ka-2/Ko-The.Ko.Pa/2025 passed by the 2nd respondent and quash the same and consequently directing the 2nd respondent to permit the petitioner to join as NMRS under the 5th respondent office.

For Petitioner(s): Mr. V.Gunasekar

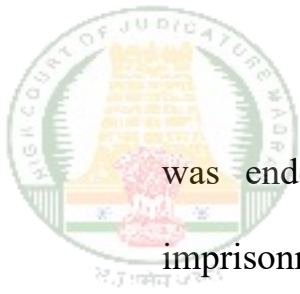
For Respondents: Mr.P.Balathandayutham,
Special Government Pleader

ORDER

This Writ Petition has been filed, challenging the impugned order dated 23.06.2025 passed by the 2nd respondent and for a direction to the 2nd respondent to permit the petitioner to join as NMRs under the 5th respondent Office.

2. With the consent of the learned counsel appearing on either side, this writ petition is taken up for disposal at the admission stage.

3. Learned counsel for the petitioner would submit that the petitioner initially, joined as a daily wages worker as Junior Assistant in the 5th respondent, Water Resources Department. While he was working as a Temporary employee with the 5th respondent, the joined local body election was conducted in the year 2005, in which, criminal case registered as against the petitioner in which, the petitioner was arrayed as A19 under Section 302 IPC and subsequently, the case



was ended in conviction, convicting the petitioner for a period of life imprisonment as against which, the petitioner preferred appeal in SC.No.275 of 2017 as against which, the criminal appeal before this Court and the same is pending and suspension of sentence was ordered. In the meanwhile, the petitioner made a representation to the respondent to provide temporary employment however, the same was rejected citing the conviction as against the petitioner. Challenging the same the present writ petition is filed.

4. The learned counsel appearing for the petitioner would submit that though the petitioner is convicted person, however, he has to runs the family thereby, again he made a representation to the 5th respondent to provide temporary employment and the same was rejected is not an acceptable one. Accordingly, he prayed for appropriate orders.

5. The learned Special Government Pleader appearing for the respondents would submit that the petitioner is a convicted person under 302 IPC and appeal is pending before this Court and till date, the petitioner is not acquitted, in the absence of any acquittal, convicted person cannot be appointed either permanent or temporary employee. Hence, the prayer sought for cannot be granted accordingly, he prayed for dismissal of this writ petition.



6. Admittedly, the petitioner is a convicted person. The public employment meant for sincere and innocent people, who don't have criminal case and there are thousands and lakhs of people available, who don't have criminal case, hence, the petitioner, being a convicted person, cannot be appointed in such a manner as he sought for.

7. In view of the above discussion, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

05-12-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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