



W.P.(MD)No.14712 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.14712 of 2023

and

W.M.P.(MD)Nos.12408 & 12409 of 2023

Dharmalingam

: Petitioner

Vs.

1.The District Collector,
Collector office,
Thanjavur District.

2.The Deputy Director of Health Services,
Office of the Deputy Director of Health Service,
Thanjavur District.

3.The Block Development Officer,
Government Primary Health Centre,
Alagiyanayagipuram,
Thanjavur District.

: Respondents



W.P.(MD)No.14712 of 2023

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire relevant records of a impugned order passed by the third respondent, vide Na.Ka.No.242/2022 A1 dated 31.05.2022 and consequently quash the same as illegal in violation of natural justice and direct the respondents to provide the petitioner's employment in the respondents office based on the petitioner's representation on 20.10.2022, 08.06.2023 and 14.06.2023 within a stipulated time as fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.A.Baskaran,

Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order dated 31.05.2022, passed by the third respondent, terminating the services of the petitioner.

2.Admittedly, the petitioner was only a contract employee. Under the contract of employment, the petitioner has been appointed



W.P.(MD)No.14712 of 2023

as a driver for a period of 11 months. During the pendency of the contract, on account of fire caused to the ambulance vehicle which was driven by the petitioner, his services has been terminated under the impugned order dated 31.05.2022.

3.The petitioner has challenged the impugned order primarily on the ground that though he was appointed on contract basis only by the second respondent, he has been terminated under the impugned order by the third respondent, who is junior to the second respondent. The petitioner also claims that being a driver, he cannot be held responsible for the fire caused to the ambulance vehicle.

4.Learned Counsel for the petitioner also drew the attention of this Court to the appointment order issued to the petitioner by the second respondent as well as the impugned order passed by the third respondent. It is an undisputed fact that the third respondent is junior to the second respondent who is the appointing authority. Since the termination order has been passed by the third respondent, who is junior to the appointing authority [second respondent], this Court is of the considered view that the impugned order has not been passed by a competent authority and the same



W.P.(MD)No.14712 of 2023

has to be quashed by this Court. However, it is an undisputed fact that the petitioner was appointed as driver only on contract basis for a period of 11 months and the contract period has already come to an end and therefore, the question of this Court directing the respondents to reinstate the petitioner pursuant to the quashing of the impugned order does not arise.

5. For the foregoing reasons, the impugned order dated 31.05.2022, passed by the third respondent is hereby quashed, but however, it is made clear that the petitioner is not entitled for reinstatement as prayed for in this Writ Petition, in view of the fact that his contract period has already come to an end.

6. With the aforesaid directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.10.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR

4/6



WEB COPY



W.P.(MD)No.14712 of 2023

To

- 1.The District Collector,
Collector office,
Thanjavur District.
- 2.The Deputy Director of Health Services,
Office of the Deputy Director of Health Service,
Thanjavur District.
- 3.The Block Development Officer,
Government Primary Health Centre,
Alagiyanayagipuram,
Thanjavur District.



WEB COPY



W.P.(MD)No.14712 of 2023

ABDUL QUDDHOSE., J.

MR

W.P.(MD)No.14712 of 2023

28.10.2025