



W.A.(MD)No.414 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A.(MD)No.414 of 2021
and
C.M.P.(MD)No.1544 of 2021**

S.Vijaya Kumar

... Appellant

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.
- 2.The Commissioner of Municipality Administration,
Ezhilagam, Annex VI Floor,
Chepauk, Chennai-600 005.
- 3.The Commissioner,
Madurai Corporation,
Madurai District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.10896 of 2014 dated 17.06.2019 on the file of this Court.



W.A.(MD)No.414 of 2021

For Appellant : Mr.V.Karthick Raja,
For M/s.Ajmal Associates.

For Respondents : Mr.S.Shaji Bino,
Spl. Government Pleader for R1 & R2.
Mr.S.Vinayak,
Standing Counsel for R3.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

This writ appeal is directed against the common order dated 17.06.2019 made in W.P.(MD)No.10896 of 2014 etc batch. It is fairly brought to our notice that one of the writ petitioners namely one S.Thiruppathi filed W.A.(MD)No.1135 of 2019. The said writ appeal was dismissed by a Division Bench of this Court on 04.11.2019. Paragraph No.5 of the said order reads as follows:-

“5. On a perusal of the notification issued by the third respondent corporation dated 15.06.2005, we find that the notification was for recruitment on contract basis. The notification clearly stipulates the tenure of contract, which is for one year initially and if both agree, it is extendable for another two years. Thus, as per the terms of the notification, the appointment was



W.A.(MD)No.414 of 2021

purely temporary/contractual and the tenure has already been fixed for one year. Presumably, because of the interim order granted in the writ petition, the petitioner was continued in service for a certain length of time. But, beyond 2014, the petitioner was no longer in service since the tenure is for one year initially and is extendable for another two years only if both parties agree ie., the third respondent corporation and the appellant. In the instant case, it is clear that there is no such agreement made by the third respondent corporation. Therefore, we are of the clear view that the services of the appellant cannot be regularised as it was a contractual appointment for the tenure of one year on a consolidated basis.”

2. When the order impugned in this writ appeal was already confirmed by a coordinate Division Bench of this Court, it may not be appropriate for us to take any contra view. The writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (R.K.M. J.)
09.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.A.(MD)No.414 of 2021

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W.A.(MD)No.414 of 2021



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W.A.(MD)No.414 of 2021

G.R.SWAMINATHAN, J.
and
R.KALAIMATHI, J.

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W.A.(MD)No.414 of 2021

09.01.2026
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