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WP Nos.24076 and 24078 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP Nos.24076 and 24078 of 2026

T.Venkatesh

..Petitioner(s) in
W.P.No.24076 of 2026

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..Petitioner(s)
in W.P.No.24078 of 2026

Vs

1. The Secretary to Government
Education Department, Secretariat,
Chennai - 600 009.
2. The Secretary to Government,
Labour and Employment Department,
Secretariat, Chennai - 600 009.
3. The Director of School Education,
College Road,
Chennai - 600 006.
4. The Joint Director / Personnel,
School Education,
College Road, Chennai 600 006.

..Respondent(s) 1 to 4 in
both cases

5. The Chief Educational Officer,
Salem.
6. The District Educational Officer (Secondary),
Salem.

.. 5th and 6th Respondent(s)
in W.P.No.24076 of 2026



Common Prayer: These writ petitions are filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to revise the petitioners appointment as Junior Assistant with effect from date of appointment viz. 01.06.1988 and 21.07.1988 respectively and further direct the respondents to provide subsequent promotions by taking into account the service rendered by the petitioner in the cadre of junior Assistant with effect from 01.06.1988 and 21.07.1988 respectively along with all consequential monetary and attendant benefits.

For Petitioner(s) : Mr.P.Saravana Sowmiyan

For Respondent(s) : Mr.A.R.Balaji,
Government Advocate
for RR 1 to 6 in W.P.No.24076 of 2026
for RR1 to 4 in W.P.No.24078 of 2026

COMMON ORDER

These writ petitions are filed for the following relief:

“directing the respondents to revise the petitioners appointment as Junior Assistant with effect from date of appointment viz. 01.06.1988 and 21.07.1988 respectively and further direct the respondents to provide subsequent promotions by taking into account the service rendered by the petitioner in the cadre of junior Assistant with effect from 01.06.1988 and 21.07.1988 respectively along with all consequential monetary and attendant benefits.”

2. When the matters are taken up for hearing, it is brought to the notice of this Court that the very same issue involved in these writ petitions has been dealt by this Court in W.P.No.22529 of 2025 dated 11.03.2026, wherein, it is held as follows:



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“9. This Court had occasion to consider a similar issue in W.P. No. 10039 of 2022, which involved a case where, at the time of appointment on compassionate grounds, the petitioner therein was qualified to hold the post of Junior Assistant, however, he was appointed to another post, and his subsequent request to be considered for appointment to the post of Junior Assistant from the date of his initial appointment was rejected.

10. The Government had passed GO.Ms.No.1499 which in turn makes reference to GO.Ms.No.444 dated 23.02.1989, wherein it is stated that Record Clerks already appointed on compassionate grounds, who are qualified for the post of Junior Assistant, may be appointed as Junior Assistants by direct recruitment after obtaining the concurrence of the TNPSC. The Government had also issued a clarification in this regard, which reads as follows:-

“(I) A dependant appointed to a lower post like Record Clerk, Office Assistant and Sweeper on compassionate grounds but possess the qualification required for the post of Junior Assistant at the time of initial appointment to a lower post may be appointed as Junior Assistant / Typist. This concession is allowed only to those who have already been appointed to a lower post like Record Clerk, Office Assistant, Sweeper etc. The dependants should satisfy the conditions prescribed for consideration of appointment under compassionate grounds at the lime of their



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appointment as Junior Assistant Typist etc.

(ii) If the dependants who are appointed to lower posts like Sweeper, Office Assistant and Record Clerk with reference to their quantifications possessed at the lime of their initial appointment and subsequently acquire qualifications prescribed for appointment as Junior Assistant / Typists they can be considered for appointment as Junior Assistant / Typist only with reference to Special rules governing the post of Junior Assistant / Typist and not with reference to the scheme of providing employment assistance on compassionate grounds”.

11. Relying upon the above Government Orders and the orders passed in WP.(MD).No.s13354 & 13355 of 2013, this Court had proceeded to allow the Writ Petition (W.P. No. 10039 of 2022) and directed the respondents therein to grant promotion and regularise petitioner therein as Junior Assistant from the date of initial appointment with consequential and attendant benefits.

12. The facts of that case would squarely apply to the facts of the present case. That apart, one Sathyanarayanan, who is a similarly placed person, had also been extended similar benefits.

13. In view of the above, this Writ Petition is allowed. The impugned order is set aside and the respondents are directed to appoint the petitioner as a Junior Assistant retrospectively from the date of his initial appointment with all consequential monetary and attendants



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benefits including the promotion within a period of 2 months from the date of receipt of a copy of this order. No costs. ”

3. The aforesaid order dated 11.03.2026 squarely applies on all fours to the case in hand and therefore, these writ petitions are allowed. No costs.

25-06-2026

Index: Yes/No

Neutral Citation: Yes/No

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To

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P.T.ASHA, J.

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