



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2026

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

W.A.NO.1149 OF 2025

G.Munirathinam
S/o. Late Sri. M.Gopal,
No.3/27, New No.75, Bhajanai Kovil Street,
Nelvai Village and Post,
Near T.B.Sanatorium,
Vellore.

... Appellant / Petitioner

Vs.

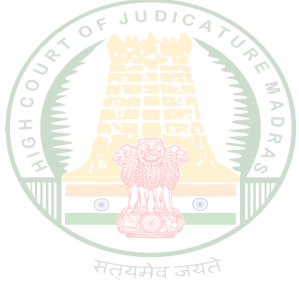
1.The Principal Secretary
Highways and Rural Works Department
Fort St. George,
Secretariat, Chennai.

2.The Superintending Engineer
Highways and Rural Works Department
Tamil Nadu Urban Development Project
Chennai.

3.The Divisional Engineer
Highways and Rural Works
Tamil Nadu Urban Development Projects
Division – II (Now renamed as Project – I)
Chromepet, Chennai – 600 016.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 29.01.2024 passed by this Court in W.P.No.11776 of 2021.



For Appellant : Ms.S.Vasavi Sridevi
For Respondents 1-3 : Dr.R.Gouri
Government Counsel

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JUDGMENT**(Judgment of the Court was made by S.M.Subramaniam J.)**

The present writ appeal has been instituted challenging the writ order dated 29.01.2024 passed in W.P.No.11776 of 2021.

2.The writ petitioner is the appellant herein. The appellant filed a writ of mandamus seeking a direction to the respondents to prepare service Book Dossier of Petitioner incorporating correct date of reinstatement with suitable post in terms of G.O. dated 04.02.1988 which is 21.04.1990 by reckoning length of service from 07.07.1980 to 30.06.2010 for fixation of salary on reinstated post with increments and other benefits with arrears to authorize such promotions if any fallen due within such length of service with full wages from the date of illegal retrenchment of 21.04.1990 calculation of pension gratuity and other terminal benefits etc., for length of 30 years and to pay the same with interest as applicable; also to pass such other appropriate order/s as this Court may justify fit and necessary to the circumstances and nature of the case; and to direct the respondents to carry out such orders / direction of this Court that would be passed in this case, within a stipulated time frame along with filing of a compilation report before this Court.

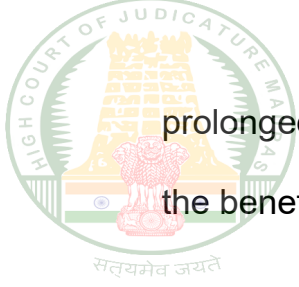


3.The prayer sought for in the writ petition itself is misconceived.

The facts as narrated by the Divisional Engineer (H), Projects Division – I, Chennai of Highways and Rural Works, would show that the appellant was employed as Casual Labour on daily wages during the period from 01.01.1982 to 21.04.1990. Intermittently he was paid daily wages of Rs.8/- per day and that was calculated and paid at the end of every month. He was engaged to watch the Godown at Padi upto the year 1989 and thereafter, the permission and sanction for keeping NMR was not accorded and thus, the appellant was not engaged for any further work. Thereafter, the appellant started working at Ratchana Industries, 3/72, Eswaran Kovil Street, Koyambedu, Chennai – 17 and he himself had contested the cases from the said address.

3.1.The termination of daily wages employment was challenged by raising an Industrial Dispute before the First Additional Labour Court, Chennai in I.D.No.1186/1991. The Labour Court ordered for reinstatement without backwages vide Award dated 14.07.1999.

3.2.The Department filed writ appeal in W.A.No.1032 of 2011 and the same was dismissed on 02.08.2011. However, the appellant has not initiated steps for execution of the Award passed by the Labour Court. Contrarily, he started claiming regularisation of his services beyond the scope of the Award passed by the Labour Court. Since he was not in service even as NMR, his case was not considered for regularisation of services. After a



prolonged period, the appellant filed a writ petition in the year 2021 seeking the benefit of regularisation and to settle the terminal benefits etc.

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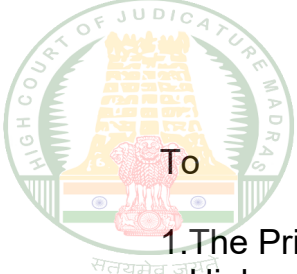
4.The very claim made by the appellant before this Court is stale and contrary to the Service Rules. The appellant was never appointed as a regular employee in the Department. Moreover, his services as a daily-wage employee were terminated in the year 1989 itself. Thereafter, he did not take any steps to enforce or execute the Award passed by the Labour Court under the provisions of the Industrial Disputes Act, 1947. Therefore, this Court is of the view that the writ order passed by the learned Single Judge is in consonance with the settled principles of law. Accordingly, the writ appeal stands dismissed. However, there shall be no order as to costs.

[S.M.S., J.]

[N.S., J.]

02.07.2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
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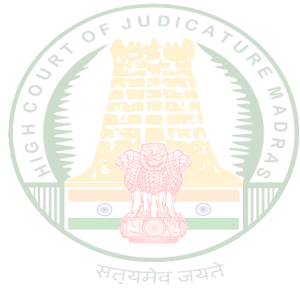


To

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S.M.SUBRAMANIAM, J.

AND

N.SENTHILKUMAR, J.

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