



WP No.40537 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2026

CORAM

**THE HON'BLE MR JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

WP NO.40537 OF 2025

P.Santhi

... Petitioner

Vs

1.State of Tamil Nadu

Rep. By the Principal Secretary to Government
Home (Courts) Department
Fort St. George, Chennai – 600 009.

2.The Registrar General

High Court, Madras – 104.

3.The Principal District Judge

Perambalur District, Perambalur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize the services of the petitioner in the post of “Computer Operator” with effect from the date of her appointment with all attendant benefits.

For Petitioner	:	Mr.K.Govi Ganesan
For Respondent-1	:	Dr.R.Gouri
		Government Counsel
For Respondents 2&3	:	Mr.K.Umesh Rao



ORDER

WEB COPY **(Order of the Court was made by S.M.Subramaniam, J.)**

Writ of Mandamus has been instituted seeking direction to the respondents to regularize the services of the petitioner in the post of “Computer Operator” with effect from the date of her appointment with all attendant benefits.

2.Learned counsel for the petitioner would submit that the petitioner was appointed on temporary basis to the post of Computer Operator. She is serving, as such, for about 12 years and therefore, she is entitled to be regularised in the sanctioned posts.

3.The order of appointment issued to the petitioner by the Principal District Judge would show that they have invoked the emergency provisions under Rule 16(a)(1) of the Tamil Nadu Judicial Ministerial Service and appointed the petitioner as Computer Operator on temporary basis. The order of appointment states that her appointment is purely on temporary basis and her service will be liable to be terminated at any time without assigning any reasons and giving prior notice. However, the fact remains that the Government now issued



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adhoc rules for the temporary post of Computer Operators in the District Judiciary in G.O.Ms.No.67 Home (Courts-V) Department dated 10.02.2026.

4.Pertinently, the adhoc rules are issued for the temporary post of Computer Operator and therefore, now the appointing authority, namely Principal District Judge concerned has to take action for deciding the issue in accordance with the adhoc rules issued by the Government in G.O.Ms.No.67 dated 10.02.2026

5.Learned counsel for the petitioner would emphasis that the services of the petitioner are to be regularised in the sanctioned posts.

6.This Court is of the considered view that the petitioner was appointed as temporary Computer Operator and therefore, the High Court, in exercise of powers of judicial review cannot issue a direction to regularise the services, which must be done by the competent authority, in accordance with the rules and by verifying the eligibility criteria contemplated under the service rules for the post concerned. The legal position has been settled by the Constitutional Bench in **State of**



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Karnataka vs. Uma Devi, reported in **(2006) 4 SCC 1**. However, regularisation of service are to be considered depending on the facts of each case and in accordance with the service rules applicable to the post.

7.In the present case, the writ petitioner was appointed on temporary basis and on the date of her appointment, no rule was in force. However, the adhoc rules are issued by the Government in G.O.Ms.No.67 dated 10.02.2026. Therefore, the appointing authority viz., Principal District Judge concerned has to consider the cases of the temporary Computer Operators strictly in accordance with the adhoc rules and based on the eligibility criteria qualification etc. as per the rules.

8.With these observations, the Writ Petition is disposed of. However, there shall be no order as to costs.

[S.M.S., J.]

[N.S., J.]

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



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To

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