

WP(MD). Nos.5134, 5135, 5136, 5137, 5139 and 5140 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30.06.2026

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). Nos.5134, 5135, 5136, 5137, 5139 and 5140 of 2023
and

WMP(MD)Nos.4826, 4827, 4828, 4839, 4840, 4841, 4835, 4836, 4837, 4829,
4830, 4831, 4832, 4833, 4834, 4842, 4843 and 4844 of 2023

1.Kalimuthu	: Petitioner in W.P(MD)No.5134 of 2023
2.K.Murugan	: Petitioner in W.P(MD)No.5135 of 2023
3.P.Sivaselvam	: Petitioner in W.P(MD)No.5136 of 2023
4.G.Rajendran	: Petitioner in W.P(MD)No.5137 of 2023
5.K.Rajalakshmi	: Petitioner in W.P(MD)No.5139 of 2023
6.R.Vijayalakshmi	: Petitioner in W.P(MD)No.5140 of 2023

Vs

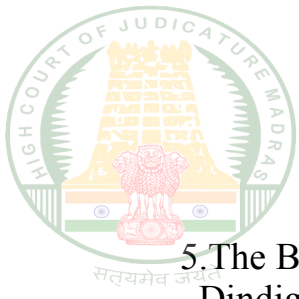
1.The Principal Secretary to the Government,
Rural Development and Panchayat Raj Department,
Fort Saint George, Chennai-600 009.

2.The Director of Rural Development and Panchayat Raj
Panagal Maligai, Chennai.

3.The District Collector,
Dindigul District, Dindigul. : Respondents 1 to 3 in all petitions

4.The Block Development Officer,
Vadamadurai Panchayat Union,
Dindigul District.

: 4th Respondent W.P.(MD)Nos.5134 & 5135 of 2023



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5.The Block Development Officer,
Dindigul Panchayat Union,
Dindigul District.

: 4th Respondent W.P.(MD)No.5136 of 2023

6.The Block Development Officer,
Vedasandur Panchayat Union,
Dindigul District.

: 4th Respondent W.P.(MD)No.5137 of 2023

7.The District Collector,
Trichy District,
Trichy.

8.The Block Development Officer,
Vaiyampatti Panchayat Union,
Trichy District.

: Respondents 4 & 5 in W.P(MD)No.5139 of 2023

9.The District Collector,
Pudukkottai District,
Pudukkottai.

10.The Block Development Officer,
Viralimalai Panchayat Union,
Pudukkottai District.

: Respondents 4 & 5 in W.P.(MD)No.5140 of 2023

Common Prayer in W.P(MD)Nos.5134 to 5137 of 2023:-

Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No. 10159/2021/Oo.V4(1), dated 22.02.2023 and quash the same as illegal and unconstitutional insofar as the petitioners are concerned, consequently forbear



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the respondents from terminating the petitioners from service without following due process as enumerated under Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

Common PRAYER in W.P(MD)Nos.5139 and 5140 of 2023:-

Writ Petitions, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No. 10159/2021/RD4(2), dated 17.03.2022, which received by the petitioner on 04.05.2022 and quash the same as illegal and unconstitutional insofar as the petitioners are concerned, consequently forbear the respondents from terminating the petitioners from service without following due process as enumerated under Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

In all Petitions:-

For Petitioner : Mr.S.Balamurugan

For [R1 to R3 in W.P.(MD)Nos.5134 to 5137 of 2023
& R1 to R4 in W.P.(MD)Nos.5139
and 5140 of 2023]

: Mrs.K.Porkodi

Government Pleader

For [R4 in W.P.(MD)Nos.5134 to 5137 of 2023
& R5 in W.P.(MD)Nos.5139
and 5140 of 2023]

: Mr.C.Jeganathan

Counsel for Government of Tamil Nadu



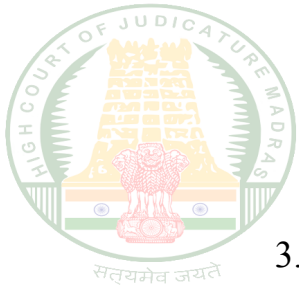
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COMMON ORDER

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The issue that arises for consideration in this batch of writ petitions is one and the same and, as such, all the writ petitions are taken up together for consideration and disposed of by this common order.

2.The petitioners were initially appointed on a temporary daily-wage basis as NMRs (Non-Muster Roll employees). Their services have been regularised pursuant to the orders issued by the Government vide G.O.Ms.No. 38, Rural Development and Panchayat Raj (E5) Department, dated 03.05.2013 and G.O.Ms.No.69, Rural Development and Panchayat Raj (E3) Department, dated 06.08.2012, either as Office Assistants or Record Clerks. While they were serving in their respective posts on a regular basis, the impugned show cause notices came to be issued proposing the termination of their services. Aggrieved by the impugned show cause notices, the petitioners have approached this Court by way of filing the present batch of writ petitions, contending that, since their services had been regularised by the Government, the District Collector, being an authority subordinate to the Government, has no jurisdiction to issue the impugned show cause notices proposing to terminate the services of the petitioners.



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3. When the matter is taken up for consideration today, it is brought to the notice of this Court by the learned counsel for the petitioners that an identical batch of matters had come up for consideration before this Court in W.P(MD)Nos.12768 of 2022 etc., batch, and the said batch of writ petitions was allowed solely on the ground of jurisdiction and competence of the District Collector to issue the impugned show cause notices. He further submits that the present batch of writ petitions arises out of the very same set of facts and that the facts and circumstances involved herein are identical to those in the earlier batch of cases, which were disposed of by order dated 09.11.2022. He also brought to the notice of this Court that several subsequent orders have been passed following the said decision dated 09.11.2022. Further, the writ appeals preferred against the said order were also dismissed by the Hon'ble Division Bench of this Court, vide order dated 17.06.2026 in W.A(MD)Nos.759 to 763 of 2023.

4. The learned Government Pleader as well as the learned Counsel for the Government of Tamil Nadu fairly submit that this batch of writ petitions is also squarely covered by the order dated 09.11.2022 passed by this Court in W.P(MD)Nos.12768 of 2022 etc., batch.



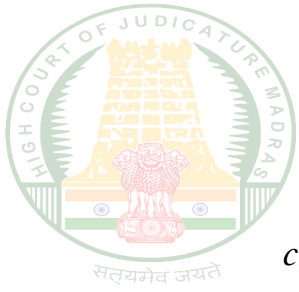
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5. In the light of the above submissions, this Court does not see any reason to re-adjudicate the matter on merits, as the facts of the present case are identical to those of the earlier batch of matters. This Court, by order dated 09.11.2022, while examining the matter in detail, held as follows in paragraphs 8 and 9:

“...8. A mere look at the aforesaid interim direction would show that the order of a learned Judge focused only on G.O.Ms.NO. 38, Rural Development and Panchayat Raj (E5) Department, dated 03.05.2013. The persons who were regularised under G.O.Ms.NO.69, Rural Development and Panchayat Raj (E3) Department, dated 06.08.2012 did not figure at all in the directions issued by the learned Judge. There is absolutely no basis in the defence of the respondents that the impugned termination orders are relatable to the aforesaid interim directions. When the writ petitioners were regularised by virtue of the Government orders, officials holding lesser ranks could not have terminated the writ petitioners. If at all, it is only the Government that would have ousted the writ petitioner from service.

9. The orders are ex-facie illegal and bereft of jurisdiction. The writ petitioners herein admittedly had served the local body for more than 15 years by the time they were regularised by the orders of Government. The petitioners' probation was declared in the regularised post as Record Clerk. They had been in service for almost ten years. The petitioners cannot be said to be guilty of any kind of misrepresentation. Only after their service particulars were duly



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checked and verified, their names were proposed for regularisation.

Their names are found in annexure 2 of the G.O.Ms.No.69, Rural Development and Panchayat Raj (E3) Department, dated 06.08.2012. To show the door to the writ petitioners at this point of time is monstrously unjust.”

6.In the light of the above and for the reasons assigned in the order dated 09.11.2022, the impugned show cause notices dated 17.03.2022 and 22.03.2023 are also liable to be quashed, they are hereby quashed and these writ petitions are accordingly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

30.06.2026

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NCC : Yes/No

To

- 1.The Principal Secretary to the Government,
Rural Development and Panchayat Raj Department,
Fort Saint George, Chennai-600 009.
- 2.The Director of Rural Development and Panchayat Raj
Panagal Maligai, Chennai.

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3.The District Collector,
Dindigul District, Dindigul.

4.The Block Development Officer,
Vadamadurai Panchayat Union,
Dindigul District.

5.The Block Development Officer,
Dindigul Panchayat Union,
Dindigul District.

6.The Block Development Officer,
Vedasandur Panchayat Union,
Dindigul District.

7.The District Collector,
Trichy District,
Trichy.

8.The Block Development Officer,
Vaiyampatti Panchayat Union,
Trichy District.

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Pudukkottai District,
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MUMMINENI SUDHEER KUMAR, J.

sjj

ORDER
IN
WP(MD) Nos.5134, 5135, 5136, 5137, 5139 and 5140 of 2023

Date : 30/06/2026