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W.A(MD)No.224 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

and

THE HONOURABLE MR. JUSTICE N.DILIP KUMAR

W.A(MD)No.224 of 2019

and

CMP.(MD).No.1844 of 2019

- 1.The Secretary to Government,
Revenue and Disaster,
Management Department,
Secretariat,
Chennai-9.
- 2.The Additional Chief Secretary,
Commissioner of Revenue Administration,
Chepauk, Chennai-5.
- 3.The District Collector,
District Collector's Office,
Dindigul.
- 4.The District Revenue Officer,
Dindigul District.

: Appellants

Vs.

- 1.G.Mahesh
- 2.M.Vijayakumar
- 3.R.Lakshmi
- 4.K.Chellathai
- 5.S.Abirami
- 6.K.Tamilzharasi



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7.V.Balagurunathan

8.G.Balasubramanian

9.P.Mariyasoosai

10.S.Ramesh

11.S.Varatharaja Perumbadaian

12.P.Arockia Britto

13.J.Moorthy

14.A.Sumathi

... Respondents

(respondent Nos.12 to 14 are impleaded as parties in this appeal vide Court order dated 11.03.2020 made in C.M.P.(MD).Nos.5614 of 2019 and 73 of 2020 in W.A.(MD).No.224 of 2019)

Prayer:This Writ Appeal is filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.4553 of 2018, dated 28.03.2018.

For Appellants : Mr.R.Baskaran,
Additional Advocate General
assisted by Mr.S.R.A.Ramachandran,
Additional Government Pleader

For R-1 to R-10 : Mr.M.Kumar

For R-11 : Mr.S.Louis

For R-12 : Mr.G.Prabhu Rajadurai

For R-13 & R-14 : Mr.S.Kumar



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JUDGMENT

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(Judgment of the Court was made by **N.DILIP KUMAR.J.**)

This Intra-Court Appeal has been filed as against the order passed by the learned Single Judge of this Court in W.P.(MD)No.4553 of 2018, dated 28.03.2018.

2. W.P.(MD).No.4553 of 2018 was originally filed challenging the proceedings of the Government vide G.O.(2D).No.28, Revenue and Disaster Management (Service 6(1)) Department, dated 29.01.2018 and the writ petitioners therein have also sought for a direction to the respondents therein to include the petitioners' name in the panel of Assistants drawn for the year 2012 in Dindigul District.

3. For the sake of convenience, the parties are hereinafter referred to as they stand in the writ petition.

4. All the writ petitioners as early as in the year 2012 had cleared the Mandatory test before the crucial date, which is 15.03.2012. Since they had not undergone one year training as Junior Assistants as stipulated in G.O.(MS).No.417, Personnel and Administrative Reforms (Per.B) Department dated 01.12.1993, their names were not included in the panel for Assistants to be promoted to the next higher post.



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5. The learned Single Judge had specifically recorded in Paragraph No.7 of his Order that the failure on the part of the writ petitioners to complete the mandatory training of one year in the post of Junior Assistant was only because of the fault of the Authorities and there was no lapse on the part of the writ petitioners. It is evidently clear that the fault lies at the doorsteps of the State in failing to send these writ petitioners for training as Junior Assistants. The relevant portion of the learned Single Judge is extracted hereunder:

"7. In this case, as already held by this Court in W.P.(MD).No.11341 of 2012 dated 08.01.2013, vacancies were very much available after 15.03.2011. The crucial date in this case is 15.03.2012. Therefore, the respondents 3 and 4 ought to have sent the petitioners for Junior Assistant training as contemplated as Clause 4(c) of the G.O.(Ms).No. 417, dated 01.12.1993. For the fault of the authorities in not asking the petitioners to undergo training as Junior Assistant, the petitioners cannot obviously suffer."

6. The abovesaid factual finding is not being denied by the appellants.



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7. Since the writ petitioners cannot be made to suffer for no fault of them and since they had completed all the other requirements of passing the departmental test, we are of the firm opinion that for the failure on the part of the State to send the writ petitioners to complete the mandatory requirement for completing one year Junior Assistant training that cannot be made to suffer and we find no merits in the Writ Appeal and the same stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

[M.D.I.,J] [N.D.K.,J]
11.08.2026

Index:Yes/No
Internet:Yes/No
TSG

To

- 1.The Secretary to Government,
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Management Department,
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M.DHANDAPANI, J

AND

N.DILIP KUMAR, J

TSG

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