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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)Nos.40, 41 and 206 of 2019
and
C.M.P.(MD).Nos.237, 238 abd 1654 of 2019

W.A.(MD).No.40 of 2019

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Fort St.George,
Chennai-9.

2.The District Collector,
Thoothukudi District.

3.The Tahsildar,
Ettayapuram Taluk,
Ettayapuram,
Thoothukudi District.

: Appellants

Vs.

S.Alagarsamy

... Respondent

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.292 of 2016 dated
27.03.2018.

For Appellants : Mr.G.Mohan Kumar,
Additional Government Pleader

For Respondent : Mr.A.Rahul



W.A.(MD).No.41 of 2019

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Fort St.George,
Chennai-9.

2.The District Collector,
Thoothukudi District.

3.The Tahsildar,
Ettayapuram Taluk,
Ettayapuram,
Thoothukudi District.

: Appellants

Vs.

V.Lakshmanan

... Respondent

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.337 of 2016 dated
27.03.2018.

For Appellants : Mr.G.Mohan Kumar,
Additional Government Pleader

For Respondent : Mr.A.Rahul

W.A.(MD).No.206 of 2019

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

: Appellants

Vs.



Muthulakshmi

... Respondent

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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.19528 of 2014 dated 11.01.2018.

For Appellants : Mr.G.Mohan Kumar,
Additional Government Pleader

For Respondent : Mr.C.Kishore

COMMON JUDGMENT

(Common Judgment of the Court was made by **M.DHANDAPANI.J.**)

These Intra-Court Appeals have been filed challenging the orders passed by the learned Single Judge of this Court in W.P.(MD)Nos.292 of 2016, 337 of 2016 and 19528 of 2014, dated 27.03.2018, 27.03.2018 and 11.01.2018.

2. The learned Additional Government Pleader appearing for the appellants would submit that the respondents are Village Assistants. They filed the writ petitions claiming pension by taking into account 50% of the service rendered by them as Thalayaris prior to 1995. The writ petitions were allowed by this Court. Challenging the said orders, the present Intra-Court Appeals have been filed.



3. The learned Additional Government Pleader appearing for the appellants would further submit that the issue involved in these appeals is no longer res integra and that the same has already been decided by the Full Bench of this Court in the case of **A.Elangovan Vs. State of Tamil Nadu** reported in **2026 (3) CTC 1**, wherein a similar claim was negatived. Accordingly, he would pray for appropriate orders.

4. The learned counsel appearing for the respondents would submit that the respondents do not dispute the legal position pointed out by the learned Additional Government Pleader, particularly in view of the decision rendered by the Full Bench of this Court. However, his grievance is that the amounts already paid to the respondents pursuant to the orders passed by the learned Single Judge have not been recovered and that the same may not be recovered hereafter.

5. Heard the learned counsel on either side.

6. In view of the subsequent decision of the Full Bench of this Court (of which one of us (M.D.I.,J.) was a member, the claim made by the respondents, which was allowed by the learned Single Judge, cannot be sustained. Applying the ratio laid down by the Full Bench of this Court in the subsequent decision, the orders passed by the learned Single Judge in W.P.(MD)Nos.292 of 2016, 337 of 2016 and 19528 of 2014, dated



27.03.2018 and 11.01.2018, are hereby set aside. However, considering the fact that the amounts have already been paid to the respondents pursuant to the orders passed by the learned Single Judge, there shall be a direction to the appellants not to recover the amounts already paid to the respondents in respect of the **Whitewasher's case**.

7. Accordingly, these Intra-Court Appeals are allowed. There shall be no order as to costs.

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

Index:Yes/No
Internet:Yes/No
TSG

To

- 1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-9.
- 2.The District Collector,
Thoothukudi District.
- 3.The Tahsildar,
Ettayapuram Taluk,
Ettayapuram,
Thoothukudi District.
- 4.The District Collector,
Nagercoil,
Kanyakumari District.



5.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.



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M.DHANDAPANI, J

AND

N.DILIP KUMAR, J

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W.A(MD)Nos.40, 41 and 206 of 2021

11.08.2026