



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)Nos.967 and 968 of 2015

and

M.P. (MD)Nos.1 and 1 of 2015

W.P. (MD)Nos.967 of 2015:

- 1.K.Subbulakshmi
- 2.A.Malathi
- 3.T.Mareswari
- 4.P.Subbulakshmi
- 5.M.Sivamani

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home (Courts) Department,
Secretariat,
Chennai - 9.
- 2.The Registrar General,
Madras High Court,
Chennai - 104.
- 3.The Principal District Judge,
District Court Complex,
Virudhunagar District at Srivilliputhur.
- 4.The District Employment Officer,
District Employment Office,
Virudhunagar,
Virudhunagar District.

... Respondents

W.P. (MD)Nos.968 of 2015:

- 1.R.Sutha
- 2.S.Vijaya
- 3.C.Jayalakshmi
- 4.C.Govindaraj
- 5.K.Devi
- 6.S.Suganthi
- 7.V.Vijayalakshmi

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home (Courts) Department,
Secretariat,
Chennai - 9.



2.The Registrar General,
Madras High Court,
Chennai - 104.

3.The Principal District Judge,
District Court Complex,
Virudhunagar District at Srivilliputhur.

4.The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

5.The District Employment Officer,
District Employment Office,
Virudhunagar,
Virudhunagar District.

... Respondents

Prayer in both the W.Ps.:- Writ Petitions filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the first respondent to frame a scheme to conduct a special qualifying test to regularize the service of the petitioners and consequently, consider and absorb the petitioners permanently in their respective posts.

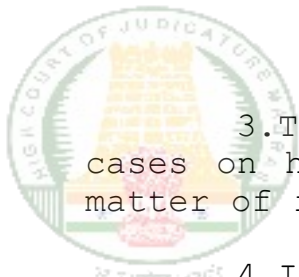
For Petitioners
in both the W.Ps. : Mr.S.Radha Krishnan
For R1 and R4 : Mr.K.P.Krishnadoss
in W.P. (MD)No.967/2015 & Special Government Pleader
For R1 and R5 in
W.P. (MD)No.968/2015
For R2 & R3 in
W.P. (MD)No.967/2015
& For R2 to R4 in
W.P. (MD)No.968/2015 : Mr.G.Thalaimutharasu

COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioners, who were appointed under Rule 10(a)(1) of the Tamil Nadu State and Subordinate Service Rules, seek direction to frame a scheme for the purpose of regularization.

2.As rightly submitted by Mr.G.Thalaimutharasu, learned Standing Counsel appearing for the Registry, the issue is no longer *res integra*. Considering the same, the Division Bench of this Court in ***W.P.Nos.3498 of 2013 etc. batch***, vide order ***dated 27.11.2014 [Tmt.S.Sornalatha vs. The State of Tamil Nadu, Rep. by its Secretary to Government, Home (Courts) Department, Chennai and others]***, was pleased to hold that the same is not feasible.



3.The aforesaid ratio laid down is squarely applicable to the cases on hand and the petitioners cannot seek such direction as a matter of right.

4.In view of the same, these Writ Petitions stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government of Tamil Nadu,
Home (Courts) Department,
Secretariat, Chennai - 9.

2.The Registrar General,
Madras High Court, Chennai - 104.

3.The Principal District Judge,
District Court Complex,
Virudhunagar District at Srivilliputhur.

4.The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

5.The District Employment Officer,
District Employment Office,
Virudhunagar,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-8151[F] dated 02/03/2021)

W.P. (MD)Nos.967 and 968 of 2015
01.03.2021

SSS(CO)
KB(09.03.2021) 3P 7C