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W.P No. 10215 of 2016
IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.12.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 10215 of 2016

and WMP.Nos.9067 of 2016

K. Thangaraj

..Petitioner

Vs

1.The Chief Engineer
Chennai Circle,
Public Works Department,
Chepauk, Chennai-6005.

2.The Executive Engineer,
Varrattaru Reservoir Planning Division,
Harur – 636903.

3.The Assistant Executive Engineer,
Mattalapallam Lakes,
Public Works Department,
Pennagaram,
Dharmapuri -636810.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relevant to the impugned order in E2(2)/6785/2013 dated 31.01.2014 passed by

the 1st respondent to quash the same as illegal, improper, arbitrary against the



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rule of law and principles of natural justice and thereby direct the respondents to regularise the service of the petitioner in the respondents department and pass such further or other orders.

For Petitioner : Mrs. E.Yuvarani

For Respondents : Mrs.R.L.Karthika, GA

ORDER

The petitioner challenges the order dated 31.01.2014, bearing reference E2(2)/6785/2013, passed by the first respondent, by which the petitioner's claim for regularisation of his temporary service was rejected.

2. The petitioner, who was working as a Nominal Muster Roll (NMR) employee on a daily wage basis, approached the Tamil Nadu Administrative Tribunal by filing O.A. No. 5495 of 1998, along with similarly placed persons, seeking regularisation of service. The Tribunal, by order dated 11.07.2002, directed the Government to consider the case of the petitioner in the light of the Government Orders governing regularisation of NMR workers who had rendered service for more than ten years.

3. The petitioner thereafter filed W.P. No. 7885 of 2013 seeking regularisation of his service based on G.O.Ms. No. 334, dated 19.10.2007. This



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Court disposed of the said writ petition by directing the Government to consider the representation submitted by the petitioner. Pursuant to the said direction, the first respondent passed the impugned order dated 31.01.2014. Aggrieved by the same, the present writ petition has been filed.

4. I have heard the submissions of the learned counsel appearing for the parties and carefully perused the materials available on record.

5. The petitioner's claim for regularisation of service was rejected on the ground that he had not worked for 90 days or three consecutive months in a year for a continuous period of ten years, and that there were breaks in service during the years 1993, 1994, and 1996. Therefore, the impugned order cannot be faulted with. However, this Court, by order dated 18.03.2016, directed the respondents to maintain status quo with regard to the petitioner's employment, and the said order continues to operate as on date. Consequently, the petitioner continues to be engaged on a daily wage basis.



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6. Since the petitioner's claim for regularisation was rejected solely on the ground of alleged breaks in service for certain years, this Court is of the considered view that the petitioner's case deserves reconsideration in the light of the existing Government Orders governing regularisation of NMR employees. If the petitioner submits a fresh representation seeking regularisation of service, the same shall be duly considered by the respondents in accordance with law.

1. In view of the above discussion, the writ petition is disposed of with the following directions;

i. The petitioner shall submit a fresh representation to the respondents seeking regularisation of his service within a period of four weeks from the date of receipt of a copy of this order.

2.ii. Upon receipt of such representation, the respondents shall consider the same on its own merits, in the light of the existing Government Orders and in accordance with law, and pass appropriate orders within a period of three (3) months thereafter.

iii. It is made clear that the respondents shall not take any coercive steps



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to terminate the services of the petitioner until the aforesaid exercise is completed.

iv. Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

10.12.2025

Index : Yes
Internet : Yes
Neutral Citation : Yes/No
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