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W.P.No.2636 of 2025 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.2636, 2642, 2645, 2647, 2649, 2650, 2651, 2652, 2654, 2655,
2656, 2657, 2658, 2672, 2674, 2675, 2676, 2677, 2680, 2698, 2679,
2683, 2684, 2686, 2688, 2690, 2692, 2694, 2696 of 2025

and

W.M.P.Nos.2948, 2949, 2953, 2954, 2956, 2957, 2959, 2963, 2967, 2968,
2969 to 2972, 2974 to 2978, 2982 to 2985, 2961, 2962, 2979, 3003, 3004,
3007, 3008, 3012 to 3015, 3017, 3018, 3019, 3021 to 3039 of 2025

W.P.No.2636 of 2025 :-

V.Mani

... Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by Additional Chief Secretary to Government,
Rural Development and
Panchayat Raj Department,
Secretariat, Chennai – 600 009.

2. The Director of Rural Development
and Panchayat Raj,
Chennai – 600 015.

3. The District Collector,
Dharmapuri District,
Dharmapuri.

4. The Project Director cum
Member Secretary,
Dharmapuri District Socio Economic
Development Society,
Dharmapuri.



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5. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent by his proceedings in Government Letter No.4054/PaA5/2024-1 dated 23.08.2024 and quahs the same as illegal and arbitrary and consequently directing the respondents to absorb the petitioner in the Rural Development and Panchayat Raj Department and to regularize the service of the petitioner from the date of his appointment in the Dharmapuri District Development Corporation Ltd., in the light of the orders passed in G.O.Ms.No.57, RD & PR (E5) Department dated 20.06.2013 and G.O.Ms.No.100 Rural Development & PR Department dated 02.09.2016 and in the light of the Communication of the third respondent in his proceedings in Na.Ka.No.212/2016/R.14 dated 04.05.2021 with all consequential benefits including retirement and pensionary benefits with arrears.

For Petitioner : Mr.B.Saravanan, Senior Counsel
For M/s. Saravana Associates

For Respondents

For R1 to R3 : Mr.Yogesh Kannadasan
Special Government Pleader

For R4 : Mr.Stalin Abhimanyu
Additional Government Pleader

For R5 : Mr.B.Vijay
Standing Counsel



W.P.No.2636 of 2025 etc.

COMMON ORDER

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These Writ Petitions have been filed challenging the orders passed by the Government of Tamil Nadu, thereby rejecting the request made by the petitioners to absorb them in the Rural Development and Panchayat Raj Department and also to regularise their service from the date of their initial appointment in the Dharmapuri District Development Corporation Limited.

2. The issues involved in all these Writ Petitions are similar in nature and therefore this Court is inclined to pass a common order. The parties are referred to as per their ranking in W.P.No.2636 of 2025.

3. The Government of Tamil Nadu passed an order in G.O.Ms.No.672, Rural Development and Local Administration Department dated 15.04.1975 and ordered to constitute a company designated as the Dharmapuri District Development Corporation Limited (hereinafter referred to as “DDDCL”), under the Companies Act, 1956. After constitution of the DDDCL, the petitioners were temporarily appointed in various posts from the year 1975. Subsequently, most of the petitioners were promoted to the post of Junior Engineer and



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subsequently, promoted as Assistant Executive Engineer. Thereafter, they were retired from service due to attainment of age of superannuation even in the year 2014 itself. In the meantime, the Government of Tamil Nadu passed order in G.O.Ms.No.14, Rural Development (SGSY) Department dated 21.01.2000, thereby directing the second respondent to windup the DDDCL immediately and to establish District Rural Development Agency in its place.

4. Thereafter, the third respondent requested the first respondent to pass orders for absorbing the employees of the DDDCL as government servants with protection of pay and service counting for pension and gratuity and other benefits. The third respondent also requested the second respondent to send proposal for absorption. The second respondent had also sent a proposal to the first respondent seeking to absorb the staff of the DDDCL and to take decision. Thereafter, the first respondent had also issued order in G.O.Ms.No.61 Rural Development (E1) Department dated 26.02.2001, thereby permitting the second respondent to take three Assistant Executive Engineers, one Assistant Engineer and twelve Junior Engineers of the DDDCL on deputation basis in the panchayat development unit till they are absorbed in the panchayat development unit.



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5. Further the third respondent had sent a proposal for absorption of the staff in the Rural Development and Panchayat Raj Department and other agencies. While pending the said proposal, the first respondent passed another order in G.O.Ms.No.61 Rural Development (SGSY) Department, dated 06.06.2003 ordering the formation of Dharmapuri District Socio Economic Development Society and ordered that the absorption of the employees of the erstwhile DDDCL either in the newly formed society or in the Rural Development Department will be decided by the third respondent in consultation with the second respondent. Finally, the third respondent by its communication dated 09.01.2005 forwarded a proposal to the second respondent for absorption of the employees of the DDDCL in the government service. Once again, the third respondent by its communication dated 15.11.2007 forwarded the proposal to the second respondent and the same was also forwarded by the second respondent to the first respondent.

6. The first respondent by an order in G.O.Ms.No.57 Rural Development and Panchayat Raj Department dated 20.06.2013 issued orders for regular absorption of eleven Office Assistants, three Jeep Drivers and one night Watchman and regularised their service from the

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date of their appointment in the erstwhile corporation. However, the petitioners were left for absorption and as such, they preferred a batch of Writ Petitions in W.P.No.14734 of 2015 etc., and this Court by a common order dated 19.02.2020, directed the first respondent to consider the representation submitted by the petitioner and pass orders in accordance with law. However, the representation submitted by the petitioner was not considered and as such the petitioners filed another Writ Petitions in W.P.No.34047 of 2023 etc., and this Court by an order dated 11.01.2024, directed the first respondent to pass orders on merits and in accordance with law. However, the first respondent by the impugned orders rejected the request made by the petitioners seeking absorption and regularization or their respective posts from the date of their initial appointment.

7. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

8. On perusal of the counter filed by the third respondent, it is revealed that admittedly all the petitioners were appointed in their respective post in the erstwhile corporation. As per the Government Order in G.O.Ms.No.14 Rural Development (SGSY) Department dated 21.01.2000, the DDDCL was wound up and a District Rural Development

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Agency has been constituted under the Tamil Nadu Registration of Societies Act, 1975. As per the suggestions of the Director fo Rural Development, the Government had decided to take Assistant Executive Engineers, Assistant Engineers, Junior Engineers of the erstwhile corporation on deputation basis and fill up existing vacancies in Rural Development Department.

9. Thereafter, the first respondent, by the Government order in G.O.Ms.61 RD (SGSY) Department dated 06.06.2003, ordered that the Society called as Dharmapuri District Socio Ecnomic Development Society be formed and the engineering staff of the DDDCL be transferred to the vacant posts in Rural Development Department and the question of absorption of the administrative staff in the newly formed society or in the Rural Development Department will be decided by the third respondent in consultation with the second respondent.

10. The proposal of the absorption of the employees of the DDDCL sent by the second and third respondents has been scrutinized by the first respondent and it classified the employees under two categories viz., the employees who come under the purview of Tamil Nade Public Service Commission (hereinafter referred to as “TNPSC”) and the

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employees who do not come under the purview of TNPSC. Therefore, the Government passed order in G.O.Ms.No.57 Rural Development & Panchayat Raj (E5) Department dated 20.06.2013 to absorb the category of employees who do not come under the purview of TNPSC concurrences as well as employees who are working in that category on the date of issuance of that order in various panchayat development units in District Rural Development Agencies of Krishnagiri and Dharmapuri District. Accordingly, three Divers, eleven Office Assistants and one Watchman had been absorbed under the Rural Development Department as government employees. The posts of the petitioners come under the purview of TNPSC and they already retired from the service. Therefore, they could not be absorbed by the respondents in the Rural Development and Panchayat Raj Department and their service could not be regularized from the date of their initial appointment in the erstwhile corporation.

11. That apart, the third and second respondents had only forwarded the proposal and never recommended to absorb them since their posts come under the purview of TNPSC. After retiring from service and after receipt of all the retirement benefits, now the petitioners cannot seek for absorption as government servants and regularization of their service from the date of their initial appointment in the erstwhile

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corporation. Therefore, the request made by the petitioners was rightly rejected by the respondents and this Court finds no infirmity or illegality in the order passed by the first respondent.

12. Accordingly, all the Writ Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

11.11.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

Note : Registry is directed to
incorporate cause title for all
the cases and issue order copy.
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G.K.ILANTHIRAIYAN. J.

rts

To

1. The Additional Chief Secretary to Government,
Government of Tamil Nadu
Rural Development and
Panchayat Raj Department,
Secretariat, Chennai – 600 009.

2. The Director of Rural Development
and Panchayat Raj,
Chennai – 600 015.

3. The District Collector,
Dharmapuri District,
Dharmapuri.

4. The Project Director cum
Member Secretary,
Dharmapuri District Socio Economic
Development Society,
Dharmapuri.

5. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town, Chennai.

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