



W.P.No.13249 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

WEB COPY

CORAM

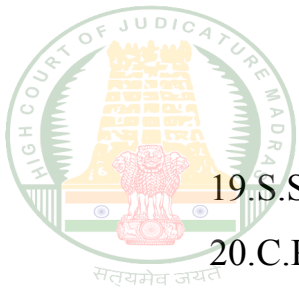
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.13249 of 2011

and

WMP.No.35757 of 2025

- 1.P.Shanthi
- 2.S.R.Sundaravalli
- 3.R.Maniyammal
- 4.I.Leelavathi
- 5.Chandirakani
- 6.Rajam
- 7.S.Ebenezer Gnanabai Sugirthakani
- 8.K.Light Rose Lilly
- 9.R.Vijayakumari
- 10.S.Nagalakshmi
- 11.M.Ganapathyammal
- 12.Haja Uma
- 13.S.Kalyani
- 14.Arumugam
- 15.S.Sankrammal Mala
- 16.J.Seetha
- 17.S.Chandra
- 18.S.Vasanthi



19.S.Seethalakshmi

20.C.Parameswari

21.S.Gandhimathi

22.B.Jeyalakshmi

23.S.Sumathi

24.E.K.Charumathi

25.Amaravathi

26.S.Sarala

27.M.Dhanavalli

28.S.Krishnaveni

29.S.Vijayalakshmi

30.T.Suseela

31.N.Jeyanthi

32.G.Prema

... Petitioners

Vs.

1.The Secretary to Government of Tamil Nadu
Social Welfare & Nutritious Meal Programme Department,
Secretariat, Chennai – 600 009.

2.The Director,
Social Welfare Department,
Chepauk, Chennai – 600 005

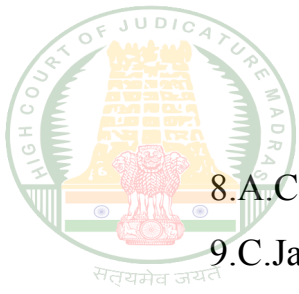
3.V.Vijaya

4.G.B.Kowsalya

5.R.Hema

6.K.S.Saroja

7.P.Neela



8.A.C.Amirtham

9.C.Janet Bai

10.S.Vijayalakshmi

11.P.Usha

12.B.Sreekumari Amma

13.P.Shenbagasaratha

14.N.Shanmugavalli

15.S.Kaveri

16.S.Radhamani

17.D.Vathsala Christopher

18.S.Priyadharshini

19.V.Ayyammal

20.M.Thahira

21.S.Revathy

22.K.Kokila

23.K.Saratha

24.S.Subbulakshmi

25.P.Mohana

26.R.Muthulakshmi

27.K.Vijayalakshmi

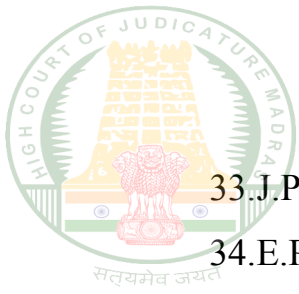
28.S.Sagunthala

29.A.Ulagammai

30.S.Valli

31.A.Fathima Kuzhanthai Theresa

32.S.Paul Thangam



33.J.Prbhavathi

34.E.Parimala

35.P.Devaki

36.V.Kalamaheshwari

37.K.Lalitha

38.A.Chithra

39.K.Baby Sundari

40.S.Esther Leela

41.V.Kanchana

42.V.Rekha

43.C.Mahalakshmi

44.K.K.Santhi

45.R.Muruga Jothi

46.S.Lakshmi

47.P.Nagarathinam

48.R.Sathyavani

49.C.Prema

50.D.Vidhya Prabha

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records connecting with the impugned order passed by the 1st respondent in G.O.(3D).No.03, Social Welfare and Nutritious Meal Programme (SW-1) Department dated 28.02.2011 and quash the same in so far as the respondents 3 to 50 are concerned and consequently direct the 1st respondent to promote the petitioners herein in their place.



WEB COPY

W.P.No.13249 of



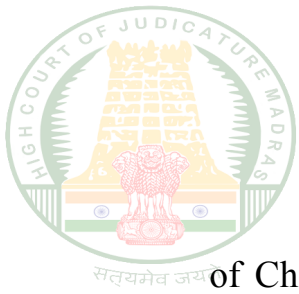
For Petitioners : Mr.Rengaramanujam

For R1 & R2 : Mr.R.Neelakandan
Additional Advocate General assisted by
Mr.P.Ganesan
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioners who have been working in the post of Supervisor Grade I in Child Development Project Officer challenging the orders issued in G.O.(3D).No.03, Social Welfare & Nutritious Meal Programme (SW-1) Department dated 28.02.2011, whereby the postings were issued in favour of private respondents herein posting them as Child Development Project Officer at different places.

2. The basis for the filing the present writ petition is that the respondents while issuing the impugned order violated the rules governing the post of Child Development Project Officer vide G.O.No.1251, Social Welfare Department dated 24.07.1987 as amended from time to time including the amendment carried out through G.O.Ms.No.22, Social Welfare and Nutritious Meal Programme Department dated 03.03.2003 especially Rule 3(1) of the said Rules governing the post of Child Development Project Officer and Zonal Project Nutrition Officer.



WEB COPY

3. According to learned counsel for the petitioner, in all 176 posts of Child Development Project Officer were filled up through the impugned order, and in terms of Rule 3(1), the Superintendents working in Tamil Nadu Ministerial Service in Social Welfare Department are entitled only for 16.07% of the posts. But, whereas the said category was given more than 25% of the posts out of 176 posts. It is also further contended that the respondents failed to follow the rotation provided under the proviso to Rule 3(1) of the above said Rules.

4. The respondents filed counter affidavit stating that the respondents have strictly followed the rotation provided under proviso to Rule 3(1), and accordingly issued orders in G.O.(Ms).No.26 Social Welfare and Nutritious Meal Programme (SW-1) Department dated 28.02.2011 and the impugned proceedings is only a consequential proceedings issuing necessary posting orders in favour of the persons whose appointments were finalized through G.O.Ms.No.26 dated 28.02.2011.

5. Having taken note of the said contention raised by the respondents in the counter affidavit, the petitioners have filed an application



in W.M.P.No.35757 of 2025 seeking to amend the prayer in the main writ petition duly enlarging the scope of the writ petition and seeking to challenge the orders issued in G.O.Ms.No.26 dated 28.02.2011 as well.

WEB COPY

6. This Court, after having heard Mr.R.Rengaramanujam learned counsel for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.P.Ganesan, learned Additional Government Pleader, does not see any reason to consider this matter in elaborate for the following reasons:

7. The G.O.Ms.No.26 dated 28.02.2011 was issued as early as in the year 2011 that is about 14 years back and the impugned order issued by the Government also makes a specific reference to the said G.O.Ms.No.26 dated 28.02.2011. For the reasons best known, the petitioners have not chosen to challenge the orders issued in G.O.Ms.No.26 dated 28.02.2011 while filing the present writ petition, but filed an application to amend the prayer in the year 2025. In the considered view of this Court, such a belated application seeking amendment of prayer, by bringing the proceedings back to square one at this length of time, cannot be permitted.



WEB COPY

8. Be that as it may, this Court also examined the grounds on which the petitioners intend to challenge the orders issued in G.O.Ms.No.26 dated 28.02.2011. It is not in dispute that the official respondents have followed the rotation provided under proviso to Rule 3(1) while issuing appointment orders through G.O.Ms.No.26 dated 28.02.2011 in favour of the private respondents herein. Once the rotation is followed as per under the proviso to Rule 3(1), it cannot be said that the 50% quota earmarked for the Superintendent Grade I to which the petitioners belong to has not been followed.

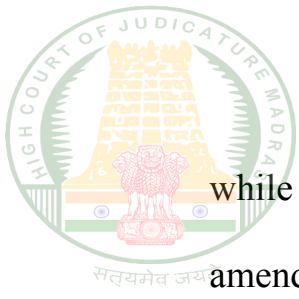
9. Admittedly, out of 176 posts which were filled up through G.O.Ms.No.26 dated 28.02.2011, 128 posts have been filled up from the category of Superintendent Grade I or Superintendent in Working Women's Hostel to which the petitioners herein belong to. However, the grievance is sought to be ventilated on the ground that the Superintendents working in Tamil Nadu Ministerial Service in Social Welfare Department are accommodated in more vacancies as against the 16.07% earmarked for them under Rule 3(1), and approximately 27.27% of the posts out of 176 have been allocated in favour of the said category. Once the 50% posts earmarked for



the category to which the petitioners herein belong to have been filled, the petitioners herein cannot have any grievance, in case if the other category candidates are accommodated more. Even in the instant case, as against the 27.27% of the vacancies provided for the category-III, the petitioners herein were provided with more than 70% of the vacancies. Thus, the category to which the petitioners herein belong to, as well as the Category-III people are beneficiaries of the impugned order.

10. From the material on record, it is evident that the category of the petitioners and the third category have been encroached into the direct recruitment quota provided under Category-1 and Rule 3(1). Merely because, the third category is accommodated in more than the quota earmarked for them, that will not give rise to a cause of action for the petitioners to make a claim for accommodating them in more number of vacancies. Once the quota earmarked for the petitioners to the category which the petitioners herein belong to is fulfilled, the petitioners cannot have any grievance .

11. Be that as it may, as already noted above, the petitioners have not chosen to challenge the orders issued in G.O.Ms.No.26 dated 28.02.2011



while filing the present writ petition. As this Court is not inclined to permit amendment of the prayer at this length of time, the writ petition which was filed challenging the impugned consequential order alone issued by the respondents consequent upon the issuance of G.O.Ms.No.26 dated 28.02.2011 cannot be entertained and this Court does not find any merit in the writ petition.

12. Accordingly, W.P.No.13249 of 2011 and W.M.P.No.35757 of 2025 are dismissed. No costs.

20.08.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1.The Secretary to Government of Tamil Nadu
Social Welfare & Nutritious Meal Programme Department,
Secretariat, Chennai – 600 009.

2.The Director,
Social Welfare Department,
Chepauk, Chennai – 600 005



WEB COPY

W.P.No.13249 of



MUMMINENI SUDHEER KUMAR, J.

dpa

W.P.No.13249 of 2011

20.08.2025