



W.P.No.2614 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2614 of 2024
& WMP.No.2867 of 2024**

V.Ranganathan

... Petitioner

Vs.

1.The Government of Tamil Nadu
represented by
The Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai – 600 009.

2.The Collector,
Collectorate, Kancheepuram,
Kancheepuram District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the second respondent in Rc.No.6720/2022/T4 dated 28-02-2023 and quash the same and direct the respondents to fix the Petitioner's pay in the post of Electrician in the scale of pay allowed to Electricians working in other Departments of the Government



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of Tamil Nadu from the date of his appointment as Electrician and grant him all consequential benefits including payment of arrears and fixation of revised pension.

For Petitioner : Mr.P.Rajendran
For Respondents : Mr.S.Balamurugan,
Government Advocate

O R D E R

This Writ Petition has been filed seeking to call for the records relating to the impugned order of the second respondent in Rc.No.6720/2022/T4 dated 28-02-2023 and quash the same and direct the respondents to fix the Petitioner's pay in the post of Electrician in the scale of pay allowed to Electricians working in other Departments of the Government of Tamil Nadu from the date of his appointment as Electrician and grant him all consequential benefits including payment of arrears and fixation of revised pension.

2.The learned counsel for the petitioner would submit that the petitioner was working as Electrician-cum-Pump Operator at the Collectorate, Kancheepuram and retired from service on 31-08-2015. He was initially



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appointed on 12-08-1980 on a temporary basis for a period of three months.

He was ousted from service on 18-11-1980 and was reappointed as Electrician-cum-Pump Operator on the same day. He has been working continuously since then. Since the petitioner's service were not regularized even after putting more than 16 years of service, he filed O.A.No.1297/1997 in the Hon'ble Tamil Nadu Administrative Tribunal, Chennai. The Original Application was transferred to this Court and r-numbered as W.P.No.36645 of 2005. This Court passed an order in the writ petition on 23-02-2006 directing the respondents to consider the petitioner's representation seeking regularization in the Post of Electrician-cum-Pump Operator and to pass orders in accordance with the Government Orders within a period of eight weeks from the date of receipt of a copy of the order.

3. Thereafter, the Government issued an order in G.O.(2D) No.340, Revenue Department dated 04-07-2008 regularizing the petitioner's service with effect from the date of his initial appointment, namely, 18-08-1980 and also allowed the arrears of pay. Accordingly, the petitioner's services were regularized with effect from 18-08-1980 and the Personal Assistant to the



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Collector, Kancheepuram issued an order in Na.Ka.No.T4/27187/2007 dated 07-11-2008 fixing the petitioner's pay. In the said order, while fixing the pay and granting selection grade and special grade scales of pay, the pay was wrongly fixed in the scale of pay applicable to the post of Office Assistant instead of Electrician-cum-Pump Operator. The post of Electrician-cum-Pump Operator contains higher pay than the post of Office Assistant. Therefore, the petitioner made a representation to the second respondent on 22-11-2010 requesting him to fix the petitioner's scale of pay applicable to the post of Electrician-cum-Pump operator.

4.Since no order was passed, the petitioner approached this Court with W.P.No.1477 of 2012 with a prayer to direct the respondents to fix the petitioner's pay in the scale of pay applicable to the post of Electrician with effect from the date of petitioner's initial appointment as Electrician. This Court vide order dated 22-03-2021 directed the respondents to consider the representation of the petitioner and to pass appropriate orders. Pursuant to which, the present impugned order has been passed rejecting the request of the petitioner. Hence, the present writ petition is filed with the above said prayer.



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5.The learned counsel for the petitioner would submit that the post of Electrician-cum-Pump Operator is very much available in the Collector Office. However, the said post was treated as contingent post for long time. While regularizing the services of the petitioner, instead of fixing the scale of pay in the contingent post, the respondent have fixed the scale of pay eligible for the post of office assistant. Such a procedure adopted by the respondent while regularizing the services of the petitioner is not sustainable. The respondents ought to have fixed the scale of pay applicable to the post of Electrician-cum-Pump operator on par with other departments. Accordingly, he prayed for setting aside the impugned order and to fix the petitioner's scale of pay in the post of Electrician from the date of his initial appointment.

6.Per contra, learned Government Advocate appearing for the respondents would submit that the post of Electrician-cum-Pump Operator along with 9 posts in Collector's Office, Chengalpattu (Now Kancheepuram) was held under contingent establishment. Since the posts were in existence for more than five years, those posts were brought to regular establishment with



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effect from 15.05.1979 and included in the Tamil Nadu Last Grade Government Service in the time scale of Rs.250-5-330-10-400 vide G.O.Ms.No.1044, Revenue Department, dated 15.05.1979. The incumbents of the above posts will be eligible to draw the dearness allowance and other allowances admissible under the orders in force. In this regard, the Commissioner of Land Revenue (Main) had given clarification in his letter dated 22.08.79 that the contingent posts in which they were working have been brought to the Last Grade Government Services. These persons will continue to work in the same posts but they will be governed by the special rules for the Last Grade Government Servant from the date of which they were brought to the regular establishment. Therefore, he would submit that the petitioner's scale of pay has been correctly fixed as per the above said Government Order and prayed for dismissal of the present writ petition.

7. Heard the learned the counsel on either side and perused the materials available on record.



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8.The facts of the case is not in dispute. It is seen that the petitioner was initially appointed as Electrician-cum-Pump-Operator on 12.08.1980 on temporary basis for a period of three months and was ousted from service on 18-11-1980. Again, he was reappointed as Electrician-cum-Pump Operator and since his services were not regularized for a long period, he filed O.A.No.1297/1997 before the Tamil Nadu Administrative Tribunal seeking to regularize his services. After abolition of the Tamil Nadu Administrative Tribunal, the said application was transferred to this Court and renumbered as W.P.No.36645 of 2005 and the said writ petition was disposed of by this Court directing the respondents to consider the petitioner's representation seeking regularization of service. Thereby, the petitioner's services were regularized in the scale of pay applicable to the post of Office Assistant. However, the grievance of the petitioner is that since he was initially appointed to the post of Electrician-Cum-Pump Operator, his services had to be regularized as per the scale of pay applicable to the said post.

9.However, it is seen that the post of Electrician-cum-pump operator post is only an contingent post. Unless the contingent post is regularized to a



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regular post, the scale of pay sought by the petitioner, on par with other department cannot be granted and it is also seen that the petitioner has also retired from service in the year 2016. Hence, this Court does not find any infirmity in the impugned order.

10.In the result, the writ petition is dismissed. No costs.
Consequently, the connected miscellaneous petition is closed.

03.12.2025

Tsg
NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

To

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2.The Collector,
Collectorate, Kancheepuram,
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M.DHANDAPANI, J.

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