



WEB COPY

W.A.No. 50 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No. 50 of 2025

and

C.M.P.No. 330 of 2025

1.The Secretary to Government
Municipal Administration
and Water Supply Department,
State of Tamil Nadu,
Chennai - 600 009.

2.The Commissioner of Municipal Administration,
M.R.C.Nagar, Raja Annamalai Puram,
Chennai - 28.

3.The Regional Director of
Municipal Administration,
Vellore - 12.

4.The Commissioner
Ambur Municipality
Ambur, Vellore District.

... Appellants

Vs.

M.Shanmugam

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 06.02.2020 made in W.P.No.4627 of 2011.

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For Appellants : Mr.C.Selvaraj
Additional Government Pleader
For Respondent : Mr.M.Muthappan

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

We do not see any merit in the appeal. Admittedly, the respondent was engaged as a Gang Mazdoor from 1983 and he was posted as Watchman-cum-Feeder to cattle with effect from 29.07.1988 and he was working in that category till he attained the age of superannuation in the year 2015. His demand for regularization was rejected on the ground that his appointment was contrary to G.O.Ms.No.644 dated 12.10.1979.

2. The respondent cannot be blamed for violation of the G.O. If the appellants appointed him and paid him salary from the contingency funds and he has also been made as Watchman-cum-feeder to cattle with effect from 29.07.1988, the fact that initial appointment was irregular cannot be a ground to refuse regularization. The question of regularization itself arises only in respect of irregular appointments. In as much as the respondent is



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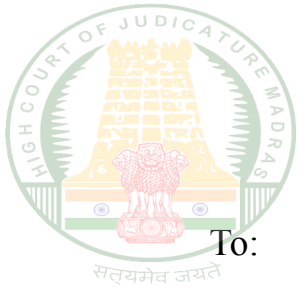
covered by G.O.Ms.No.22 dated 28.02.2006, the learned Judge has held he should be regularized from the date of completion of 10 years from the date, on which, he was appointed as a Watchman-cum-Feeder i.e., on 29.07.1988.

Therefore, the services of the appellant should be regularized only with effect from 29.07.1998 and he would be entitled to monetary benefits. We see no reason to take a different view in as much as the respondent is clearly covered G.O.Ms.No.22 dated 28.02.2006. This Writ Appeal therefore, fails and it is accordingly, **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (G.A.M., J.)
17.03.2025

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Index: No
Speaking order
Neutral Citation : No



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