



WEB COPY



W.A.No.910 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

**W.A.No.910 of 2025**

**and**

**C.M.P.No.7706 of 2025**

1.The Commissioner,  
Employment and Training,  
Guindy, Chennai - 32.

2.The Principal,  
Government Industrial Training Institute,  
Dharmapuri District.

... Appellants

Vs.

M.Manimegalai

... Respondent

**PRAYER:** Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order in W.P.No.23510 of 2024 dated 11.09.2024.

For Appellants : Mr.P.Ananda Kumar,  
Government Advocate

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## **JUDGMENT**

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We do not find any reason to interfere with the order of the learned Single Judge. The respondent admittedly joined the Government service in the year 2010 and probation was declared in 2015. At the time when she was about to retire, the appellant suddenly woke up and passed the order impugned in the Writ Petition concluding that the declaration of probation granted in the year 2015 was erroneous.

2. This Court had repeatedly held that passing of tests is not a ground for stopping declaration of probation. Unless the probation is specifically extended, it is deemed to have been declared after completion of two years. In the case on hand, there is an order declaring probation in 2015. It is claimed that the said order was passed on erroneous assumption that the petitioner would be entitled to the benefit of G.O.Ms.No.130, Personnel and Administrative Reforms Department, dated 22.07.2008.

3. Be that as it may, the petitioner was due to retire on 30.06.2024. The order impugned came to be passed three days prior to her retirement on



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27.06.2024 cancelling the declaration of probation. We do not think we can sustain such orders. The writ Court had found that the petitioner's services were regularized in 2014 and the probation was declared in 2015 and the Court also found that G.O.Ms.No.130, Personnel and Administrative Reforms Department, dated 22.07.2008 would in fact apply to the respondent, since she had completed 50 years of age.

4. In view of the above we do not see any reason to interfere with the order of the writ Court. The Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (G.A.M.,J.)  
28.03.2025

dsa

Index : No

Neutral Citation : No

Speaking order

To

1.The Commissioner,  
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**R.SUBRAMANIAN, J.**  
**and**  
**G.ARUL MURUGAN, J.**

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