



W.A.Nos.1920 and 1921 of 2021
and W.A.Nos.456 and 1687 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.Nos.1920 and 1921 of 2021
and W.A.Nos.456 and 1687 of 2022
and C.M.P.Nos.12485 and 12462 of 2021
and C.M.P.Nos.3292 and 11672 of 2022

1.The Principal Secretary To Government
Home (TR.VII) Department, Secretariat,
Chennai - 600 009

2.The Transport Commissioner
Chepauk, Chennai - 5

... Appellants
in all W.A.

Vs.

1. S.Sivakumar
2. S.Suresh
3. S.Gnanasekarapandiyan
4. B.Venkatesh

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5. S.P.Senthilraja
6. M.Senthilkumar
7. S.Sriram Karthi
8. P.Saravanan
9. B.Sridhar
10. D.Sampathkumar
11. M.Venkatesan
12. V.Hydhar Ali
13. E.Tamilselvan
14. M.Prasanth
15. N.Natarajan
16. K.Balamurugan
17. D.Thangaprakasam

... Respondents in WA.1920/2021

1. K.Karthikeyan
2. P.Sivakumar
3. R.Thiravidamani
4. N.Muthuraja
5. K.Saravanan
6. S.Abdul Wahid
7. P.Dinesh
8. L.Kaliswaran
9. K.Saravanan
10. G.Muthukumaran

... Respondents in WA.1921/2021

1. K.Vigrahaa
2. D.Karthikeyan
3. M.Santhosh Kumar



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4. P.Dharmaraju
5. S.Chandrasekaran
6. R.Ayyappan
7. R.Andrew Kingsly
8. D.Varadharajan
9. Boopathy.P
10. S.Suthish
11. D.Venkatesan
12. R.V.Senthil Krithik
13. A.Udhayakumar
14. S.Stalin Ambedkar
15. Pandiarajan.K
16. M.sasikumar
17. Premkumar.C
18. R.Rajkamal
19. Karthik.M
20. Nadesapandian.A
21. Damodaran
22. A.Gaspar Raj
23. I.Hariharasuthan
24. S.Hariharan
25. J.Selvaganapathy
26. R.Rajkumar
27. P.Manoj
28. P.Sudharsan
29. Kalaiselvan.K
30. R.Samsudeen,
31. Saravanan.P
32. Vengatesh T



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33. S.Veeraiyia
34. L.Ravikumar
35. Stanley Jeba Singh A.P

... Respondents in WA.456/2022

1. E.S.Vanumamalai
2. Ravi.K
3. M.Selva Perumal
4. S.Sivasankar
5. M.Muthusaravanan
6. Subramanian.R
7. M.Rajkumar
8. Mashesh Kumar.K
9. Nainar.R
10. P.Sankar Kumar
11. B.Anbu
12. S.Franklin
13. D.Arun Raja
14. S.Gunasekaran
15. M.Nirmal Raj
16. Jaganathan.K
17. K.R.Senthil Prakash
18. G.Prasad
19. M.Narayanan
20. Kathirvela.A
21. Udayabaskar.R
22. M.Padmanabhan
23. K.Venkatachalam
24. K.Bakkiyaraju
25. G.Pannerselvam



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26. M.Arul
27. A.Jayaprakasam
28. M.Subramaniam
29. A.Selvam
30. R.Rajendra Prasath
31. Sakkan.M
32. R.Selvaraj
33. V.Rajalakshmi
34. N.Saravanan
35. M.Shanmugaraja
36. S.Selvanathan
37. M.Kartheesan
38. S.Narayanan
39. P.Kumar
40. N.Shanmugasundar
41. Manickavasagam.R
42. P.S.Krishnamoorthy
43. V.Senthil Kumar
44. M.Meenatchi
45. V.Mohan

... Respondents in WA.1687/2022

Common Prayer: Writ Appeals filed under Clause 15 of Letters Patent, praying to set aside the judgments dated 03.02.2021, 07.12.2021 and 14.02.2022 made in W.P.No.14782 of 2020, W.P.No.19961 of 2020 W.P.No.7352 of 2021 and W.P.No.7893 of 2021 on the file of this Court



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and allow the above Writ Appeals.

For Appellant : Mr.P.S.Raman
Advocate General
Assisted by Mrs.V.Yamunadevi
Special Government Pleader

For Respondents : Mr.V.Vijay Shankar

COMMON JUDGMENT

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

When the respondents herein had sought for issuance of Writ of Mandamus before the Writ Court, for regularization of their services as System Analysts, Programmers and Data Entry Operators, the learned Single Judge had allowed the Writ Petitions and consequently directed the Government to regularize their services, by declaring that their earlier services under a contract, was sham and nominal. Before the Writ Court,

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as well as before this Bench, the predominant ground raised by the Transport Department is that the services of these respondents and similarly placed persons were engaged through a contractor. When 'Vahan Sarathi' online web portal was introduced by the Transport Department with effect from 01.01.2019, the service of all these contract employees was discontinued with effect from 31.12.2018.

2. Admittedly, the posts of System Analysts / Programmers / Data Entry Operators are not sanctioned posts in the Transport Department. It is also not disputed that the service of these System Analysts / Programmers / Data Entry Operators was discontinued way back on 31.12.2018, since the nature of that job had become obsolete.

3. Sanctioning of posts in a Government Department would be a decision which is in the exclusive domain of the State and this Court, in exercise of its powers under Article 226 of the Constitution of India,



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would not normally interfere and issue directions on such policy decisions of the State.

4.In this background, we do not approve of the directions passed in the Writ Petitions, granting regularization of services of the contract labourers.

5.Mr.V.Vijay Shankar, the learned counsel appearing for the respondents submitted that the Transport Commissioner has already made recommendations though his letter dated 01.01.2018 stating that the duties rendered by the System Analysts / Programmers / Data Entry Operators are perennial and absolutely necessary for sanctioning of such posts. As stated earlier, such a call for sanctioning of posts requires to be taken only by the State. However, the ends of justice could be secured if the Government is called upon to consider the Transport Commissioner's



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letter dated 01.01.2018 recommending for creation of such posts and take a final decision in the matter, within a stipulated time.

6.In the light of the above observations and directions, the orders passed in the Writ Petitions are set aside and all the Writ Appeals stand allowed. The State Government is called upon to consider the proposal sent by the Transport Commissioner through his letter dated 01.01.2018 and take a final decision, as expeditiously as possible. No costs. Consequently, the connected miscellaneous petitions are closed.

[M.S.R, J.] [R.S.V, J.]
24.11.2025

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Speaking / Non Speaking

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