



W.P.No.15100 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 31.10.2025

PRONOUNCED ON : 18.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.15100 of 2025

and

W.M.P.No.17014 of 2025

K.Venkataraman

..... Petitioner

Vs

1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.

2.The Director of Public Health
and Preventive Medicine,
DMS Campus,
Anna Salai,
Chennai – 600 006.

3.The Block Medical Officer,
Government Primary Health Center,

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Elandakuttai – 638 008.

Namakkal District.

..... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records in the order of reversion in R.No.3273657/MP2/S1/2022 dated 30.09.2022, on the file of the Director of Public Health and Preventive Medicine, Chennai, the second respondent herein, specifically to the extent as issued against the petitioner herein, and its consequent orders dated 24.04.2024 and 23.05.2024 in R.No.211/A2/2024 on the file of the third respondent, issued against the petitioner herein and to quash the same as being illegal.

For Petitioner : Ms.K.Abhirami
for M/s.V.Srimathi

For Respondents : Mrs.M.Sneha
Special Counsel for Health Department

ORDER

This Writ Petition has been filed challenging the order dated 30.09.2022 passed by the second respondent, insofar as it relates to the petitioner, and the consequential order dated 24.04.2024 as well as the proceedings dated 23.05.2024 on the file of the third respondent, thereby



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reverted the petitioner to the post of Health Inspector Grade-I.

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

3. The petitioner was originally appointed to the post of Leprosy Inspector on 11.05.1987 and worked in service till 31.07.1997. Subsequently, by G.O.No.320, dated 27.06.1997, the post of Leprosy Inspector was re-designated and classified as Health Inspector Grade-IB. There was no revision in the pay scale for the post of Health Inspector Grade-IB. Therefore, the petitioner and others submitted representations. In order to set right the pay anomaly, the Government issued order in G.O.Ms.No.382, Health and Family Welfare (N1) Department, dated 12.10.2007. However, Clause 6 (iv) and (v) discriminated between Grade-IA and Grade-IB Health Inspectors, by providing that integration and consequential promotion in Public Health Stream would take effect only from 12.10.2007, instead of the date of absorption i.e. On



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01.08.1997. Aggrieved by the same, the petitioner filed a writ petition before this Court in W.P.No.12654 of 2008. This Court, by order dated 23.07.2010, held that G.O.Ms.No.382, Health and Family Welfare (N1) Department, dated 12.10.2007 was not correct and that the Leprosy Inspectors who were absorbed into Multi-Purpose Health Worker Scheme on 01.08.1997 are entitled to be re-designated as Health Inspectors Grade-I from 01.08.1997 with all consequential benefits.

4. Likewise, paragraphs 6(iv) and (v) of G.O.Ms.No.382 held to be bad and illegal, as Clause (iv) of para 6 placed Health Inspector Grade-IB, who were re-designated as Health Inspectors Grade-I, en bloc below the last person in Health Inspector Grade-I, and Clause (v) of para 6 denied them promotion to the post of Block Health Supervisor and Technical Personal Assistant. This Court held that the Leprosy Inspectors should be treated as Health Inspector Grade-I and granted promotion to Block Health Supervisor and Technical Personal Assistant from the date of which their juniors were promoted with all consequential benefits. Pursuant to contempt proceedings, the second

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respondent implemented the order of this Court by the proceedings dated 28.07.2011 and accorded promotion to the petitioner as Block Health Supervisor, on par with his junior K.Chandrasekaran, with effect from 07.11.2008.

5. Subsequently, the Supreme Court of India dismissed the appeal filed by the Government by order dated 07.05.2013 and issued certain directions. Accordingly, a combined seniority list was released on 25.11.2013 and placing the petitioner appropriately in the seniority. Accordingly, the petitioner was promoted with effect from 07.11.2008 and retired from service due to attainment of age of superannuation on 30.04.2020. While being so, similarly placed persons, whose writ petitions had been tagged with the petitioner's case, filed contempt petitions seeking enforcement of the orders passed by the Hon'ble Supreme Court of India. In those matters, there was a direction made to promote the similarly placed persons as the petitioner was retrospectively promoted. Therefore, the order impugned in this writ petition was issued



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on 30.09.2022, thereby reverting the petitioner from the post of Block

Health Supervisor to the post of Health Inspector Grade-I.

6. It is pertinent to note that even prior to the said reversion order, the petitioner had retired from service on 30.04.2020. The petitioner was promoted to the post of Block Health Supervisor on 29.07.2007 with retrospective effect from 07.11.2008 and discharged his duties in that post until retirement. The petitioner was promoted only on the directions issued by the Hon'ble Supreme Court of India. After a lapse of twelve years, the petitioner was reverted by the order impugned in this writ petition. Subsequent to the order impugned in this writ petition, the petitioner filed a contempt petition and the petitioner was given liberty to file a fresh writ petition.

7. A perusal of the counter affidavit filed by the respondents as well as the submissions made by the learned Special Panel Counsel appearing for the respondents reveals that, pursuant to the orders passed

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by this Court and the directions issued by the Hon'ble Supreme Court of

India, a revised seniority list of Health Inspectors Grade-I was prepared and by placing the re-designated Health Inspector Grade-I (Leprosy Inspectors) with effect from 01.08.1997. Accordingly, the petitioner was placed above one K.Chandrasekaran. Reversion orders were passed in respect of 244 Block Health Supervisors to Health Inspector Grade-I, who had been promoted during the panel years 2008-2009 and 2009-2010. Subsequently, the Block Health Supervisor panel was revised for the panel years 2008-2009 to 2022-2023 by the proceedings dated 20.10.2022.

8. Accordingly, the revised promotion orders were issued by the communications dated 25.10.2022. Therefore, the specific contention of the respondents is that in order to comply with the order passed by the Hon'ble Supreme Court of India, reversion order has been passed. Though the petitioner was promoted to the post of Block Health Supervisor from the post of Health Inspector Grade-IB, as per the order

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passed by this Court and confirmed by the Hon'ble Supreme Court of

India, this Court, in the Contempt Petition similarly placed persons filed

Sub Application, passed the following orders :-

61. The Supreme Court has given a quietus to the issue as has been rightly pointed out by the Division Bench by order, dated 30.08.2019 that, how the combined seniority list should be prepared and to be operated, in their order, dated 07.05.2013 made in C.A.No.4483 of 2013.

62. If that is acted upon, how such a combined seniority list now has been prepared and executed by the State Government has already been discussed herein above, where over and above or overlooking the I-B category, i.e., from Leprosy Inspector category, these Multi Purpose Health Assistant category who were at that time only in the feeder category subsequently promoted as Health Inspector Gr.I earned promotion in the year 2009 and 2010 to the post of Block Health Supervisor. If combined seniority list is prepared, where these Multi Purpose Health Assistant source persons who promoted as Health Inspector Gr.I are placed below the I-A and I-B



category naturally their seniority would be fixed therein, thereby if they earned promotion overlooking either I-A category or I-B category, such a promotion is bad in law.

63. The reason being that, out of 2071 candidates from Sl.No.3924 to 5994 in the 1B category only 1232 earned promotion, remaining 839 are yet to be given promotion. These 839 candidates are seniors to these third source candidates namely Multi Purpose Health Assistant candidates like the petitioners in the writ petitions.

64. When that being so, the promotion earned by these Multi Purpose Health Assistants category people to the post of BHS, i.e., Block Health Supervisor, overlooking the 839 Health Inspector Gr.I from I-B category is against the combined seniority list overlooking the seniors. Therefore from such a promotion earned by them these juniors are to be necessarily reverted.

65. Though this exercise had already been undertaken by the Government and they issued the reversion orders, that has been questioned by them in these writ petitions. The very same position had been



reiterated by us in our order, dated 25.07.2023 made in the Contempt Petitions, which we have extracted herein above, wherein direction No.2 of Paragraph 9, we made it clear that, the promotes who earned such promotion in the third category commencing from Sl.No.5995 till Sl.No.7732 also, such list shall be prepared by the respondents, among them those who earned promotion and superannuated need not be disturbed and the benefits already paid to them shall not be recovered. At the same time, those who earned promotions in the third category by still working, as they are not entitled to earn such promotion, they shall be reverted immediately. Therefore what has been done by the Government in passing the impugned orders in these writ petitions have also been approved by us by our order, dated 25.07.2023 while giving such set of directions to comply with the order passed by the Supreme Court in the said Civil Appeal, dated 07.05.2013.

XXXXX

XXXXX

69. The petitioners herein, admittedly belong to the third category, should be placed in the bottom of the



seniority list as stated supra. Therefore they have to necessarily earn promotion only when their turn comes as per the combined seniority list.

70. In this context, unless the 839 in the second category are getting promotion even the very first candidate of the third category like the petitioners cannot earn such promotion to the post of Block Health Supervisor. Therefore whoever earned such promotion as Block Health Supervisor overlooking the seniority naturally they have to face the reversion. Hence such a reversion order passed by the State/Government in respect of these petitions, which are challenged in these writ petitions, are fully sustained and in accordance with law as well as the directions issued by this Court based on the combined seniority list prepared by the Government of course pursuant to the order passed by the Supreme Court, dated 07.05.2013. Therefore such a reversion orders cannot be said to be flawed or erroneous or unlawful.

71. Therefore those orders being sustainable one are to be accepted and hence the prayer sought for in all these writ petitions are liable to be rejected, accordingly,



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these writ petitions since deserve to be dismissed.

72. In view of the orders passed in these writ petitions, the Sub Applications as well the Contempt Petitions are to be closed.

73 Resultantly the writ petitions in W.P.Nos.29323, 31293, 31298, 31305, 31309, 31315 and 31314 of 2022 are dismissed and the Sub Application Nos.13 of 2020, 211 of 2022 and the Cont.P.Nos.1380 of 2016, 2383 of 2022 are closed as indicated above. However, there is no order as to costs. Consequently, connected miscellaneous petitions are closed.”

9. Accordingly, the petitioner was rightly reverted to accommodate his seniors between 3924 - 4875 and was re-promoted in the year 2009-2010. However, the benefits already paid to the petitioner cannot be recovered to the tune of Rs.5,42,737/- as directed by the Hon'ble Supreme Court of India. Aggrieved by the said order, an appeal has been filed by one M.Antony and two others. While pending the said appeal in SLP Nos.15364-15370 of 2024, in which the petitioner is also implemented as one of the respondent.



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10. In view of the above discussion, this Court finds no infirmity or illegality in the order dated 30.09.2022 passed by the second respondent and the consequential order dated 24.04.2024 and the proceedings dated 23.05.2024 of the third respondent. Insofar as the 5% personal pay which are granted to the petitioner prior to 01.01.1996 in the pre-revised scale of pay as per G.O.Ms.No.664, Finance (PC) Department, dated 24.08.1992 and its modified order vide G.O.Ms.No.873, Finance (PC) Department dated 27.12.1993 which was cancelled by order 22.09.2025, the petitioner is at liberty to challenge the same in the manner known to law, if so advised. It is also made clear that the petitioner succeeds before the Hon'ble Supreme Court of India in SLP No. 15364 -15370 of 2024 filed by one Antony and others, the second respondent shall restore the petitioner's promotion to the post of Block Health Supervisor with effect from 07.11.2008.

11. In the result, this Writ Petition stands dismissed.



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Consequently, connected miscellaneous petition is closed. There shall be

no order as to costs.

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Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.

2.The Director of Public Health and Preventive Medicine,
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3.The Block Medical Officer,
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Namakkal District.



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G.K.ILANTHIRAIYAN. J.

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