



WA No. 3477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WA No. 3477 of 2025

AND CMP NO. 28460 OF 2025

1. The Secretary To Government
Government of Tamil Nadu,
Rural Development and Panchayat Raj
Department, Secretariat, Chennai -600 009.
2. The Director, Rural Development Department,
Panagal Buildings, Saidapet, Chennai - 600 015.
3. The Collector
Cuddalore District,
Cuddalore 607 001.

..Appellants

Vs

1. S Abdul Halim, Accountant,
Panchayat Union, Vridhachalam,
Cuddalore District -606 001.
2. P. Pasupathi
Deputy Block Development Officer,
Panchayat Union Office, Parangipettai,
Chidambaram Taluk, Cuddalore District.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 23.10.2024 made in WP No.5362 of 2020 and thus render justice.



WEB COPY



WA No. 3477 of 2025

For Appellants :

Ms.Dakshayani Reddy, Senior Counsel
Special Panel Counsel
for Mr.S.John J.Raja Singh
Additional Government Pleader

For Respondents :

Mr.V.S.Jagadeesan – for R1

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra Court appeal has been directed against the order passed by the Writ Court dated 23.10.2024 made in W.P.No.5362 of 2020.

2. The first respondent viz., S.Abdul Halim who was the writ petitioner before the writ Court was appointed as a Night Watchman at Panchayat Union School, Vridhachalam vide order dated 30.12.1983. In that capacity, he had been working for more than ten years. At that time, the Government had come forward to issue G.O.Ms.No.267, Rural Development Department dated 22.12.1998. By virtue of that, those who had completed ten years of service on temporary basis in any local bodies like Panchayat Union would be eligible or entitled to get absorption or regularisation. Accordingly, the authority concerned viz., the 3rd respondent District Collector passed an order on 22.12.1999 regularising his appointment on completion of ten years period ie., on 31.12.1993. That means, on 01.01.1994 he has become the permanent employee in the cadre of Night Watchman.



3. However, subsequently another Government Order in G.O.Ms.No.161, Rural Development Department was issued on 26.06.2000, which has made a modification to the earlier government order, thereby the date of such regularisation was modified as not on completion of ten years of such temporary employee but only from the date of issuance of the Government Order ie., G.O.Ms.No.267, Rural Development Department dated 22.12.1998.

4. Only by virtue of that, the regularisation already been provided to the writ petitioner / first respondent from 01.04.1994, the date on which he has completed the ten years period as a temporary employee has been modified and has been made only from 22.12.1998 ie., the date of G.O.Ms.No.267.

5. It is in this context, yet another offshoot controversy arose between the first respondent and second respondent herein, who stood as the writ petitioner and the fourth respondent in the said writ petition with regard to the *inter se* seniority among them.

6. Learned Writ Court, having considered the fact that the right accrued on the employees like the petitioner to get regularisation on completion of ten years temporary service since has been acted upon by the authorities concerned, it cannot be taken away subsequently by issuance of G.O.Ms.No.161 dated 26.06.2000.



Moreover, the very same government order has in fact been quashed by another writ proceedings.

7. Based on the quashment of G.O.Ms.No.161 dated 26.06.2000, the recovery ordered for the alleged additional payment of salary because of the regularisation, which dated back from the date of completion of ten years also been interfered with, as against which though an intra court appeal has been filed by the appellant department insofar as the quashment of the government order in G.O.Ms.No.161 dated 26.06.2000, the same has not been numbered.

8. Therefore, the resultant position would be that, G.O.Ms.No.161 dated 26.06.2000 is no more available. Therefore, based on the said Government Order the regularisation date of the first respondent since has been modified to the date of issuance of Government Order ie., 22.12.1998 instead of 01.01.1994, the date of completion of ten years of temporary service, the same has been rightly interfered with by the learned Single Judge through the impugned order, by taking into account all these factual matrix.

9. Having gone through the impugned order and after hearing the learned Senior Counsel appearing for the appellants, we do not find any good reason to interfere with the said view expressed by the learned Single Judge as well as the



WA No. 3477 of 2025

conclusion reached by him. As a result, the writ appeal fails and hence it is liable to be dismissed. Accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (V.L.N.,J.)
04-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST

To

1. The Secretary To Government
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai -600 009.
2. The Director, Rural Development Department,
Panagal Buildings, Saidapet, Chennai - 600 015.
3. The Collector
Cuddalore District, Cuddalore 607 001.



WEB COPY



WA No. 3477 of 2025

**R.SURESH KUMAR J.
AND
V.LAKSHMINARAYANAN J.**

KST

WA No. 3477 of 2025

04-12-2025

_____ Page 6 of 6