



W.P.No.32784 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.32784 of 2025

D.Narayanasamy

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep by its Secretary,
Co-Operation Food and Consumer Protection,
Fort St.George,
Chennai - 600 009.

2. The Registrar of Co-operative Societies,
NVN Maaligai, Kilpauk,
Chennai - 600 010.

3. The Secretary,
Finance Department,
Fort.St.George,
Chennai - 600 009.

4. The Director of Co-Operative Audit,
Co-Operative Audit Department,
Slum Clearance Board Complex,
Kamarajar Salai,
Chepauk,
Chennai - 600 005.



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5. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
Chennai - 600 003.

...Respondents

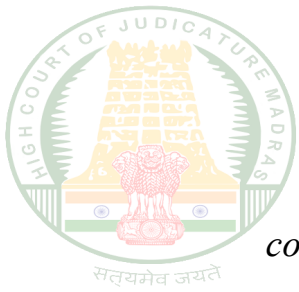
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 2nd respondent's Letter No.R.C.No.47237/2023/EM.3, dated 06.07.2025 without sign quash the same and consequently direct the respondents to forthwith include the already earned increments as well as the notional increment from 16.10.1989, the date of successful completion of the special Qualifying examination and to notionally revise and refix the benefits thereto, by taking into account the already rendered services as qualifying services for arriving at the pension and pensionary benefits.

For Petitioner : Mr.K.Selvakumar
For R1 to R4 : Mrs.A.Ranganayaki
R5 : Mr.I.Abrar Mohd Abdullah

ORDER

The writ petition is filed for the relief herein below set out:

" calling for the records relating to the 2nd respondent's Letter No.R.C.No.47237/2023/EM.3, dated 06.07.2025 without sign quash the same and consequently direct the respondents to forthwith include the already earned increments as well as the notional increment from 16.10.1989, the date of successful



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completion of the special Qualifying examination and to notionally revise and refix the benefits thereto, by taking into account the already rendered services as qualifying services for arriving at the pension and pensionary benefits."

2. The brief facts which has culminated in the filing of this writ petition are set out below:

2.1. Despite the subject matter being considered in several Writ Petitions and orders passed against the respondents once again the respondents have rejected the request of the petitioner herein to treat his non-service period as eligible period for the purpose of calculating the pension by relaxing certain rules.

2.2. The petitioner herein was appointed as Junior Inspector of Co-operative Societies, through Employment Exchange on 03.12.1985 on temporary basis under Rule 10(a)(i) of the Tamil Nadu State and Subordinate Rules on 03.12.1985. The petitioner would submit that between the period 1974 to 1985, around 1400 Junior Inspectors were appointed. In the year

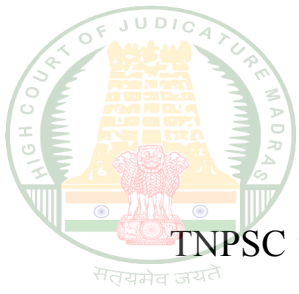


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1981, a separate Department for Co-operative Societies was created by

bifurcating it from the parent Department. Out of total 1400 junior Inspectors, 1049 were employed under the control of the Registrar of Co-operative Societies and the remaining 351 Inspectors were employed under the Control of Director of Co-Operative Audit (DCA). The petitioner continued to be employed under the Registrar of Co-operative Societies.

2.3. Meanwhile, the Government of Tamil Nadu had decided to oust 300 Junior Inspectors during March 1987 to accommodate candidates selected through the TNPSC. These ousted Junior Inspector formed an Association and sent representation to the Government to consider their claim for absorption and regularization of their services, in view of the fact that they had been in continuous employment. The petitioner is one among those ousted candidates and he had been ousted on 24.04.1987. Consequent to the representation sent by them, the Government vide G.O.Ms.No.271 Co-operation, Food and Consumer Protection Dept dated 10.11.1988 and G.O.Ms.No.50 Co-operation, Food and Consumer Protection Dept dated 19.01.1989, instructed all the temporary Junior Inspectors appointed through Employment Exchange since 1974 to appear for a special qualifying Examination to be conducted by the



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TNPSC for the purpose of regularization of their services. It is also included, the petitioner and other Junior Inspectors who had been ousted in March 1987.

The examination was also conducted on 16.10.1989 in which the ousted Inspectors had also participated. One of the condition of the Government Order was that if a candidate did not come out successful in the exam, his service would be terminated with immediate effect. The list of candidates who were successful in the examination was published on 09.11.1989. Out of the overall candidates participated, 63 had failed and 1235 were successful. The petitioner was one amongst the same and he was reinstated on 16.04.1992 as Junior Inspector, PDS under the RCS. Though, the condition of the Government Order was that the failed candidates would be terminated forthwith, 21 of them got employed under the Director of Co-operative Audit (DCA) and 42 under the Registrar, Co-operative Societies. Therefore, the rules had been flouted in their respect.

3. The petitioner would submit that meanwhile, G.O.Ms.No.445 Finance (Co-Op Audit) Dept dated 20.12.2005 had been issued and the services of 21 failed candidates under the Director of Co-operative duty had been ordered to be regularized. It is the benefit of this G.O., that is sought to be extended to all



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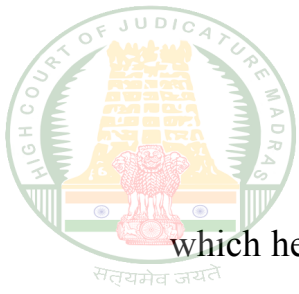
the other passed candidates. The petitioner would submit that several of them had filed various Writ Petitions which were allowed and they were given benefit of G.O.Ms.No.445 Finance (Co-Op Audit) Dept dated 20.12.2005. The petitioner would submit that being similarly placed, he is entitled to the benefit of the said G.O.

4. However, the respondent sought to discriminate similarly placed workmen/employees. In respect of employees under the Audit department, regularization in terms of G.O.Ms.445 Finance (Co-Op Audit) Dept dated 20.12.2005 was granted. However, with reference to others, the benevolence was not shown. The petitioner would submit that he is entitled to the very same relief which has been granted over a period of time by various judicial pronouncements of this Court. When the petitioner had approached the respondent for regularization, the same has been turned down by the impugned letter. Hence, the above writ petition.

5. Heard the learned Counsels on either side and perused the records.

6. The ground on which the request is being rejected is that the petitioner has not been employed between 25.04.1987 and 15.04.1992 (period during

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which he was ousted) the very same issues has been dealt with by this Court in

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7. Accordingly, the writ petition is allowed. The order of regularization shall be effected within a period of one month from the date of receipt of a copy of this order. No costs.



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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

To

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Rep by its Secretary,

Co-Operation Food and Consumer Protection,

Fort St.George,

Chennai - 600 009.

2. The Registrar of Co-operative Societies,

NVN Maaligai, Kilpauk,

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Finance Department,

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Co-Operative Audit Department,

Slum Clearance Board Complex,

Kamarajar Salai,

Chepauk,

Chennai - 600 005.

5. The Secretary,

Tamil Nadu Public Service Commission,

Frazer Bridge Road,

Chennai - 600 003.

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