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W.P.No.29713 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HONOURABLE MR. JUSTICE K. SURENDER

WP No. 29713 of 2017

N.Jayaseelan

Petitioner(s)

Vs

1. The Government of Tamil Nadu
rep by its Secretary to Government,
Tourism and Cultural Department, Fort
St. George, Chennai-09

2.The Commissioner of Art and
Culture, Tamil Valarchi Valagam,
Egmore, Chennai-08

3.The Principal
Government College of Architecture
and Culture, Mamallapuram- 603 104

Respondent(s)

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to quash the order in proceedings No.4822/ Aa3/ 2015 dated 23.03.2016 passed by the 2nd Respondent herein in so far as it relates to not regularizing the services of the Petitioner in the post of Lecturer as per seniority from 24.11.2000, the date of his initial appointment as Lecturer and consequently directing the Respondents to regularize his services in the post of Lecturer as per seniority from 24.11.2000, the date of his initial



appointment as Lecturer, with all consequential monetary and other benefits.

For Petitioner(s): Mr.K.Elango

For Respondent(s): Mr.P.Neelakandan AAG
Assisted By Mr.V.Nanmaaran
for Respondents

ORDER

This Writ Petition has been filed challenging the order dated 23.03.2016 issued by the second respondent vide proceedings No.4822/Aa3/2015, and seeking consequential directions to the respondents to regularize the service of the petitioner as Lecturer with effect from 24.11.2000, along with all attendant monetary and service benefits.

2. The brief facts of the case are that the name of the petitioner was sponsored by the Employment Exchange, following which, he was appointed on 29.10.1990 as an Instructor in the Government College of Architecture. His services, along with those of others similarly placed Instructors, were regularized on 04.01.1999. Thereafter, the petitioner was holding the post of Lecturer from 24.11.2000.

3. It is submitted that certain other Instructors of third respondent college approached the Tamil Nadu Administrative Tribunal seeking regularization of their services as Lecturer from the date of their initial



appointment as Lecturers, instead of from 04.01.1999, when they were regularized only as Instructors. Their applications were allowed by the Tribunal vide order dated 02.07.2002. At that time of filing their application before the Tribunal, these individuals were still holding the post of Instructor. The Tribunal directed that their services shall be regularized as Lecturers from the date of their initial appointment as Lecturers.

4. The Government has challenged the Tribunal's order by filing Writ Petition bearing Nos.6544 to 6546 of 2003. However, the Hon'ble Division Bench of this Court dismissed those Writ Petitions on 28.02.2003, thereby upholding the Tribunal's decision.

5. Subsequently, petitioner made a representation to the respondents on 28.05.2015 seeking regularization of his service as Lecturer from 24.11.2000, the date of his employment as Lecturer.

6. As the said representation remained pending without any orders being passed, the petitioner approached this Court by filing W.P.No.19313 of 2015. By order dated 02.07.2015, this Court directed the second respondent to consider the petitioner's representation dated 28.05.2015. Pursuant to the said direction, the second respondent passed the impugned order dated 23.03.2016 vide proceedings No.4822/Aa3/2015, regularizing the services of the petitioner



as an Instructor from the date of his initial appointment ie 29.10.1990.

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7. The grievance of the petitioner is that despite his specific request for regularization as Lecturer from 24.11.2000, the impugned order was erroneously passed by regularizing him only as an Instructor. In-fact, the Tribunal has come to the aid of other Lecturers by regularizing their services as Lecturers and subsequently, the orders were upheld by the Hon'ble Division Bench of this Court.

8. The learned Additional Advocate General appearing for the respondents contended that the petitioner's prayer was only for regularization as an Instructor, and therefore the order passed was correct.

9. However, the aforesaid submission of the learned Additional Advocate General is factually incorrect. The representation of the petitioner dated 28.05.2015, it very clear that the petitioner sought for regularization as Lecturer, in line with the Tribunal's orders which were subsequently confirmed by this Court.

10. In view of the above, the impugned order cannot be sustained and is liable to be set aside.



11. Accordingly, this Writ Petition is allowed. The order dated 23.03.2016 passed by the second respondent vide Proceedings No.4822/Aa3/2015 is hereby set aside. The respondents are directed to regularize the service of the petitioner as Lecturer with effect from 24.11.2000 and to extend to him, all consequential monetary and other service benefits arising therefrom within a period of six weeks from the date of receipt of copy of this order. There shall be no orders as to costs.

K.SURENDER J.
19-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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