



WEB COPY



W.P.No.42087 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM :

THE HONOURABLE MR JUSTICE G.K.ILANTHIRAIYAN

W.P.No.42087 of 2025

and

W.M.P.Nos.47132 & 47134 of 2025

S. Krishnaveni

... Petitioner

Vs.

1.The Principal Secretary to Government,
Social Welfare and Women Empowerment Department,
Fort St.George,
Chennai - 600 009.

2.The Director of Children Welfare and Special Services Department,
No.300, Purasaiwalkam High Road,
Chennai - 600 010.

3.The Regional Deputy Director ,
Department of Children Welfare and Special Services,
Plot No.9,
K.K.Nagar,
Madurai - 625 020.

4.The Superintendent,
Government Vigilance Home,
Mylapore,
Chennai - 600 004.

5.The Superintendent,
Government Observation Home,
Madurai – 625009.

... Respondents



W.P.No.42087 of 2025

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records connected with Government order issued in GO.Ms.No.51 Social Welfare and Women Empowerment [SW8(2)] Department dated 18.07.2023 passed by the 1st Respondent and Proceedings issued in No.I/40456/2023 dated 11.11.2023 passed by the 2nd Respondent and quash the same and consequently direct the 1st Respondent to regularize the petitioner's services from the date of the petitioner's initial appointment i.e. on 12.01.1998 and promote the petitioner for the post of office Superintendent with all consequential benefits.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order issued in G.O.Ms.No.51, Social Welfare and Women Empowerment [SW8(2)] Department, dated 18.07.2023, on the file of the first respondent and the consequential order passed by the second respondent dated 11.11.2023, thereby rejecting the request made by the petitioner to regularise her service from the date of her initial appointment, i.e. 12.01.1998.

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



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3.The petitioner joined service as Junior Assistant-cum-Typist in the Madurai Children's Aid Society on 12.01.1998. The said institution was run by a Society and was subsequently taken over by the Government by an order dated 09.12.2016 in G.O.Ms.No.94, Social Welfare and Nutrious Meal Programme Department. Only from the date of absorption, the petitioner become a Government Servant. Thereafter, by G.O.Ms.No.51, Social Welfare and Women Empowerment (SW8(2)) Department, dated 18.07.2023, the Government relaxed the rules and absorbed the petitioner as a full-fledged Government servant.

4.The learned counsel appearing for the petitioner would submit that one person, who was appointed as a Secondary Grade Teacher and served in the very same institution, had made a representation seeking regularisation of her service by absorption from the date of her initial appointment. Subsequently, her service was regularised with effect from the date of her first appointment in the private institution. Likewise, the petitioner also submitted a representation seeking regularisation of her service and the same has been rejected.

5.On written instructions, the learned Additional Government Pleader appearing for the respondents submitted that the petitioner was

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initially working as Junior Assistant-cum-typist in the Madurai Children's Aid Society, which is a private and non-government Society. The petitioner was not paid any salary directly by the Government. Her salary was paid from the grant-in-aid sanctioned to the private institution. While being so, the said institution was brought under the Government control by G.O.Ms.No.94, dated 09.12.2016, and a proposal was sent for the absorption of full-time employee. Thereafter, the Government issued G.O.Ms.No.91, dated 22.12.2021, whereby the other staff members were absorbed into Tamil Nadu Basic Services. However, the petitioner was specifically excluded from the said Government order, since the post of typist falls within the purview of the Tamil Nadu Public Service Commission and requires its concurrence, unlike posts under the basic services. Subsequently, the petitioner alone was considered and appointed as Government Servant by G.O.Ms.No.51, dated 18.07.2023. Thereafter, it was implemented by the proceedings dated 11.11.2023 by fixing her salary at the level of Rs.19500-71900. The said appointment was a fresh appointment and not a regularisation of her past service.

6.After having been accepted the said order and after the regularisation of her service, nearly two and a half year later, this writ petition has been filed challenging the appointment order and seeking

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regularisation from the date of her initial appointment. It is made clear that the petitioner was appointed as a fresh employee under the order impugned in this writ petition.

7.In view of the above, this Court finds no infirmity or illegality in the order issued in G.O.Ms.No.51, Social Welfare and Women Empowerment [SW8(2)] Department, dated 18.07.2023 on the file of the first respondent and the consequential order passed by the second respondent dated 11.11.2023. Thus, the writ petition lacks merits and is liable to be dismissed.

8.Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

10.11.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
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G.K.ILANTHIRAIYAN.,J.

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To:

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