



W.P.(MD)No.95 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.95 of 2025

B.Praveena

...Petitioner

Vs

1. The State of TamilNadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.
 2. The State of TamilNadu,
Rep. by its Secretary to Government
Social Welfare & Nutritious Meal Programme Department,
Secretariat, Chennai-9.
 3. The State of TamilNadu,
Rep. by its Secretary to Government,
Welfare of Differently Abled Persons Department,
Secretariat, Chennai-9.
 4. The Commissioner of Social Welfare,
Chepauk, Chennai-5.
 5. The PA to District Collector (General)
Collectorate Office,
Thoothukudi, Thoothukudi District.
- ... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the 1st respondent to regularize the service of the petitioner on completion of 2 years of her service on consolidated pay in the post of Data Entry Operator in terms of G.O.Ms.No.151, Social Welfare & Nutritious Meal Program Department dated 16.10.2008 under physically challenged category with all other monetary benefits in the light of the order made in WP.(MD).No.20494 of 2016 and in WA(MD).No.894 of 2022 within the period that may be stipulated by this Court.

For Petitioner : M/s.V.Karthikraja
for
M/s.Ajmal Associates

For Respondents : M/s.P.B.Ahamed Yashmin Parvin
Government Advocate

ORDER

This writ petition has been filed seeking direction to the 1st respondent to regularize the service of the petitioner on completion of 2 years of her service on consolidated pay in the post of Data Entry Operator in terms of G.O.Ms.No.151, Social Welfare & Nutritious Meal Program Department dated 16.10.2008 under physically challenged category with all other monetary benefits in the light of the order made in WP.(MD).No.20494 of 2016 and in WA(MD).No.894 of 2022.



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2. The case of the petitioner had been positively considered and direction has also been issued by this Court as early as on 25.02.2020 in W.P.(MD).No.20494 of 2016 by recording the statement of fact that the petitioner's claim for regularization had been positively considered and based upon the statement of facts recorded had directed the first respondent to forthwith regularize the services of the petitioner and pass appropriate orders. It is also brought to the notice of this Court by the learned Counsel for the petitioner that in a similar circumstances in W.P.(MD).No.20673 of 2016, this Court has entertained the claim of the similarly placed persons and directed for regularization which was also subject matter of an intra Court appeal in WA(MD).No.894 of 2022 which affirmed the order passed by the learned single judge, against which they preferred an SLP(c).Diary.No.10330 of 2024. Therefore, the said four persons have been granted with regularization of the service. However, since the order has not been complied with. The petitioner has now preferred the present writ petition.

3. The respondent has filed a counter affidavit and indicating that an intra Court Appeal has been preferred, but they have not given any



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details about such intra Court appeal filed against the order passed in favour of the petitioner. Therefore, this Court is of the view that there is no intra court appeal in the case of the petitioner. But, however, in a similar order passed by this Court in respect of other individuals on the very same day which has also been affirmed by the Division Bench of this Court and also the apex court, this court finds that there is no impediment in directing the first respondent to regularize the services as prayed for in the writ petition. Even though, this Court is of the view that there has been a flagrant violation of the order made in W.P.(MD).No.20494 of 2016 dated 25.02.2020, where, there has been specific direction to the first respondent to forthwith issue appropriate orders regularizing the services, this Court taking lenient view in not initiating any suo motu contempt against the first respondent.

4. In fine, there shall be a direction to the first respondent to forthwith regularize the services of the petitioner on completion of two years of service on the consolidated pay in the light of the G.O.Ms.No. 151, Social Welfare and Nutritious Meal Programme department dated 16.10.2008 and also in the light of the order affirmed by the Hon'ble Division Bench of this Court and issue necessary orders within a period



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of three weeks from the date of receipt of a copy of this order and pay all necessary attendant benefits and also found seniority from the date of her completion of two years of service.

4. With the above directions, this writ petition is disposed of. No costs.

14.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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K.KUMARESH BABU, J.

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To:

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