



W.P.(MD) No.7461 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
06.11.2025	16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.7461 of 2025

J.Gnana Sahaya Santhiya

... Petitioner

-vs-

1.The Additional Chief Secretary to Govt.,
Revenue and Disaster Management Department,
Fort St., George,
Chennai – 600 009.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified Mandamus to call for the record pertaining to the impugned order of the first respondent dated 07.07.2014 made in G.O(3D).No. 13 Revenue and Disaster Management Department, dated 30.01.2025 and quash the same as illegal and unlawful consequently direct the first



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respondent to declare the petitioner's probation completed successfully on 24.01.2019, consequently direct the respondents to provide all service and monetary benefits to the petitioner.

For Petitioner : Mr.J.Pooventherarajan

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition had been filed to quash the impugned order of the first respondent, made in G.O(3D).No.13 Revenue and Disaster Management Department, dated 30.01.2025 as illegal and unlawful and consequently direct the first respondent to declare the petitioner's probation completed successfully on 24.01.2019, consequently direct the respondents to provide all service and monetary benefits to the petitioner.

2. Heard Mr.J.Pooventherarajan, the learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that



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the petitioner was appointed as Village Administrative Officer on compassionate grounds wherein the petitioner had also joined in the service on 23.01.2017. The petitioner's services was regularised w.e.f., the initial date of joining in service by proceedings of the second respondent dated 20.12.2021. According to him, the period of probation namely two years would have ended on 22.01.2019. From the date of appointment, no departmental exam was conducted and the same was only conducted on 07.11.2020. He would submit that the petitioner had been on maternity leave from 07.09.2020 to 03.06.2021. Even though the petitioner had made a request for herself to be permitted to participate in the departmental examination, the second respondent had refused such permission. Thereafter, the departmental exam was only conducted on 18.04.2023 in which she had successfully cleared the examination. In the interregnum, the petitioner has also completed the training in the Village Administration Training and Survey Training. The first respondent had declared the petitioner had successfully completed probation on 19.04.2023 and not on completion of two years from the date of initial appointment. He would submit that it is not the mistake of the petitioner in not taking part in the departmental examination as the departmental examination had not been conducted by the respondents as mandated. In view of the same, the petitioner had been denied her right of



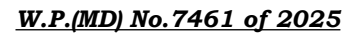
W.P.(MD) No.7461 of 2025

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promotion and other service benefits including the increments. Hence, he seeks indulgence with the order impugned herein insofar as the declaring the petitioner to have satisfactorily completed the probation only w.e.f. 19.04.2023 and consequently direct the first respondent to declare the petitioner's probation to have been successfully completed on 24.01.2019 and to provide all service and monetary benefits to the petitioner. The learned counsel had also circulated the information received by him under the Right to Information Act, where there is a mandate for the respondents to conduct the departmental examination thrice in a year.

4. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner had joined in the services on 23.01.2017 on compassionate ground and it is for her to complete the probation within a period of two years. For declaring the probation, the petitioner had to pass a departmental examination on the powers and duties of Village Administrative Officer, Village Sanitation and Manual of Village Accounts which was conducted by the District Administration. The petitioner was admittedly on maternity leave from 06.08.2018 to 02.05.2019 and 07.09.2020 to 03.06.2021. A Departmental exam was conducted on 07.11.2020, in which the petitioner did not participate as she was on

Page 4 of 9



8. It is not the case of the respondents that such departmental examination are being conducted periodically as envisaged. Having failed to conduct the departmental examination periodically, the employees cannot be put at disadvantageous position. It is true that the petitioner had not attended the first examination conducted on 07.11.2020 after her appointment and the reasons attributed by the petitioner cannot also be brushed aside as the



W.P.(MD) No.7461 of 2025

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maternity leave has been approved by the department. The first examination after appointment of the petitioner in the case of the petitioner can only be 18.04.2023.

9. It is also to be noted that the petitioner had completed the required trainings which she had been deputed. It had been repeatedly held by this Court that the employee cannot be put at fault for being sent for training belatedly and in the present case, the petitioner had completed part of training prior to the date of completion of two years and partly after the period of two years. The examination has also not been conducted periodically and in the first attempt of the petitioner, she has also cleared the said examination.

10. For the aforesaid reasons, the Writ Petition stands allowed and the declaration of completion of satisfactory period of probation under the impugned order as 18.04.2023 alone is set aside and the petitioner is declared to have satisfactorily completed the period of probation on 24.01.2019 and as a sequel, the respondents are directed to grant all the service and monetary benefits that the petitioner would be entitled to. Such exercise shall be carried out by the respondents within a period of twelve (12) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Page 7 of 9



W.P.(MD) No.7461 of 2025

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16.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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PRE-DELIVERY ORDER
IN
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16.12.2025