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W.P.(MD).No.20411 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.11.2025**

**CORAM :**

**THE HONOURABLE MR. JUSTICE K.KUMARESH BABU**

W.P.(MD).No.20411 of 2025

and

W.M.P(MD)Nos.15807 & 15809 of 2025

S.Arihara Suthan

...Petitioner

-Vs-

The Registrar  
Manonmaniam Sundaranar University  
Abishekapatti  
Tirunelveli District -12.

...Respondent

Prayer : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus to call for records pertaining to the impugned orders MSU/R/Estt.Admn/2023 dated 21.08.2023 passed by the Respondent, quash the same and consequently directing the Respondent to absorbing/regularizing the Petitioner in the available sanctioned driver vacancy post in the Respondent University from the date of completion of 10 years of his service and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

|                |                   |
|----------------|-------------------|
| For petitioner | : Mr.R.Murugappan |
| For Respondent | : No appearance   |



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**ORDER**

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This writ petition is filed challenging the impugned orders MSU/R/Estt.Admn/2023 dated 21.08.2023 passed by the Respondent and seeking consequential direction to the Respondent to absorbing/regularizing the Petitioner in the available sanctioned driver vacancy post in the Respondent University from the date of completion of 10 years of his service.

2. The learned counsel for the petitioner submits that the petitioner was originally appointed as a daily wager in the respondent University on 21.12.2010 and he has been working continuously since then. On 09.1.2015, the petitioner was appointed as a driver by the respondent University and absorbed as a driver on consolidated pay by proceedings dated 24.01.2017. The petitioner had earlier filed a writ petition in W.P.(MD).No.20448 of 2023 seeking direction to the respondents to regularize the services as driver in the respondent University in a available sanctioned vacancy. Pending the said writ petition, the respondent university had issued a proceedings on 21.08.2023 and had rejected the claim of regularization/absorption. Hence, he has filed the present writ petition.





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11.03.2008, 02.12.2008, 21.12.2010 and 23.12.2024. He had also relied upon the judgement of this Court in W.P.(MD).No.14110 of 2025 & 14111/2025 dated 10.08.2015, orders of the respondent dated 24.01.2017 and orders of the Division Bench of this court in WA.(MD).Nos.919 & 920 of 2016 dated 10.08.2017, which had affirmed the orders of the learned Single judge passed in W.P.(MD).Nos.14110 & 14111 of 2015. The petitioner who had been appointed as daily wagger in the year 2010 and appointed as driver in the year 2015 was also absorbed on consolidated pay on 24.01.2017. One of the reason that have been attributed that in view of the judgement of the Hon'ble Apex Court passed in the year 2006 is that regularization is sought to be rejected which had been directed to be followed by the university by the learned single judge in the year 2018. It is to be noted that the respondent university had absorbed some candidates as daily wagers and consolidated wagers from the year 2008 and the Division Bench of this Court had also extended the benefit of such regularization in the year 2017. When such orders passed by the Division Bench of this court for absorption and regularization it would be improper for this Court to fall upon a judgment of the learned single judge, directing the respondent not to absorb or regularize employees. Even though the learned single judge had



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followed the judgement of the Hon'ble Apex Court in the judgement reported in **2006 4 SCC 1**, it is to be noted that the respondent had been absorbed and regularized its employees even after the said judgment of the Hon'ble Apex Court.

5. In such view of the matter, the petitioner who has been also employed as daily wager and thereafter as consolidated wager as early as in the year 2010 and 2017 respectively to have the benefit under Article 14 of Constitution of India. He would also entitled to have equal protection.

6. For the aforesaid reasons, this writ petition stands allowed, the impugned order is set aside and the respondent is directed to regularize the petitioner in the respondent university within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

**20.11.2025**

Index : Yes/No  
Speaking/Non-Speaking order  
Neutral Citation : Yes/No  
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**K.KUMARESH BABU.J.**

gvn

To

The Registrar  
Manonmaniam Sundaranar University  
Abishekapatti  
Tirunelveli District -12.

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