

W.P.(MD) No.22302 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 01.08.2025

Pronounced On : 10.09.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.22302 of 2018

M.Murugan,
S/o.M.Muniasamy,
No.225-B, Viswanatham Road,
Sivakasi – 626 123,
Virudhunagar District.

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary,
Highways and Minor Ports Department,
Secretariat,
Chennai - 600 009.

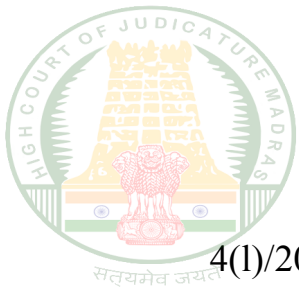
2. The Principal Director (Highways),
Office of the Principal Director (Highways),
Office of the Integrated Chief Engineer's Campus,
Highways Department,
Guindy, Chennai - 600 025.

3. The Divisional Engineer,
Highways & Rural Works
Highways Department,
Dindigul Division,
Trichy Road, Dindigul.

... Respondents

PRAYER in W.P.:

To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in Memo No.4382/No.



W.P.(MD) No.22302 of 2018

4(1)/2016 dated 31.01.2018 on the file of Respondent No.2 and quash the same as illegal and consequently to direct the Respondents to regularize petitioner service in the post of Junior Draughting Officer, with consequential benefits for the past service within the time stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstance of the case and thus render Justice.

APPEARANCE OF PARTIES:

For Petitioner : Mr.G.Karthik, Advocate
For M/s.T.Lajapathi Roy Associates

For Respondents : Mr.J.Ashok,
Additional Government Pleader

J U D G M E N T

Heard.

2. The Petitioner has challenged the order of the 2nd Respondent dated 31.01.2018, by which he was informed that since he had worked only for 790 days on daily wages, he was not eligible for the benefits conferred under G.O.(Ms) No. 74, P&AR Department, dated 27.06.2013. The Petitioner, however, had not only completed 10 years of service but had also been appointed through the employment exchange to the post in which he was engaged on daily wages.



W.P.(MD) No.22302 of 2018

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3. When the matter was taken up on 01.11.2018, the petition was admitted and notice was issued to the Respondents. Pursuant to such notice, the 3rd Respondent filed a counter affidavit on behalf of all the Respondents. In the said counter affidavit, it was contended that the Petitioner had been engaged only between March 1993 and March 1999, and even during that period, his actual service amounted to only 790 days. The Petitioner's earlier writ petition, W.P.(MD) No.1012 of 2016, had already been disposed of by order dated 05.04.2017, wherein, in paragraph 8, the Court had observed as follows:

“In view of the submissions made on either side, this Court is inclined to pass the following order: -

The respondents 1 and 2 are directed to consider the case of the petitioner for regularization in the light of the order dated 06.01.2016 in W.P.(MD) Nos. 7919 to 7922 of 2012 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.”

4. It was in pursuance of the aforesaid direction that the impugned order came to be passed. In the counter affidavit, it was further stated that the said order had been issued solely in view of the judgment of this Court in W.P.(MD) No. 7919 of 2012, dated 06.01.2016.



W.P.(MD) No.22302 of 2018

5. In the absence of the Petitioner's claim falling within the norms prescribed by the Government for regularization, he cannot seek any relief other than that which is covered by the said orders. The Respondents have examined the Petitioner's case strictly in accordance with law and in the light of the directions issued by this Court.

6. Hence, this Court finds that no case has been made out. Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

10.09.2025

LS/ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No



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Copy to:

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DR. A.D. MARIA CLETE, J.

LS

Pre-delivery Judgment made in
W.P. (MD) No.22302 of 2018

10.09.2025