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W.A.(MD)NO.963 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.963 of 2020 AND

C.M.P.(MD)No.5241 of 2020

1. Government of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Fort St. George, Chennai-9.
2. The Commissioner/Director of Survey
and Settlement,
Chepauk, Chennai.
3. The Additional Director of Survey
and Land Records,
Chepauk, Chennai.
4. The Assistant Director of Survey
and Land Records,
Madurai – 20, Madurai District. ... Appellants / Respondents

Vs.

P.Chandar

... Respondent / Petitioner

Prayer: Writ appeal filed under Clause 15 of the Letters Patent,
to allow the writ appeal by setting aside the order dated 09.11.2016
passed in W.P.(MD)No.21327 of 2016.



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For Appellants : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For Respondent : Mr.P.Andiraj,
for Mr.C.Vijayaragavan.

* * *

J U D G M E N T

Heard both sides.

2. The writ petitioner was appointed as Surveyor-cum-Draughtsman in the Survey and Land Records Department on consolidated pay on 24.10.1983. He was regularised with effect from 26.03.1990. The writ petitioner retired from service on 31.03.2013. Thereafter, he represented to the Department that he should have been regularized with effect from the date of his original appointment. Since his request was not considered, he filed W.P. (MD)No.21327 of 2016. The learned single Judge vide order dated 09.11.2016 allowed the writ petition in the following terms:-

“7. This Court in W.P.(MD)Nos.12477 and 12478 of 2007, dated 25.03.2014, has passed an order regularising the services of the similarly placed employees with effect from 25.06.1984.

8. It is not in dispute that the petitioner was



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in service as on 25.06.1984. According to G.O.Ms.No. 996, dated 22.09.1984, the services of the employees, who were in service in the ministerial service, as on 25.06.1984, are to be regularized with effect from 25.06.1984. Therefore, the petitioner is also entitled for regularization from 25.06.1984.

9. Accordingly, the respondents are directed to regularize the service of the petitioner from the date of his initial appointment as per G.O.Ms. No.996, Personnel and Administrative Reforms (Placements) Department, dated 22.09.1984 and to give notional promotion to the petitioner and to pay the consequential monetary benefits.”

Aggrieved by the same, the Government has filed this writ appeal.

3. The issue raised in the writ appeal is no longer *res integra*. The Hon'ble Division Bench vide order dated **11.08.2025 in W.A. (MD)No.753 of 2020 (Government of Tamil Nadu V. D.Paulraj)** had held as follows:-

“4. Our attention is drawn to the order dated 01.10.2024 made in W.A.(MD)No.1028 of 2018. The Hon'ble Division Bench had held as follows:-

“5. The learned Government Advocate, however, pointed out that a similar issue had come up for



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consideration before a Co-ordinate Division Bench of this Court in W.A.(MD)No.1392 of 2017 in Government of Tamil Nadu, represented by its Secretary to Government, Revenue Department, Chennai and three others Vs. M. Mainoortheen. The first respondent therein had also filed a similar writ petition in the nature of Mandamus seeking a direction to regularise his services from the date of his initial appointment in accordance with G.O.(Ms)No.996, Personnel and Administrative Reforms (Placements) Department, dated 22.09.1984. The first respondent herein is very similarly placed to the 1st respondent in W.A.(MD)No. 1392 of 2017.

6. The Division Bench had observed that G.O. (Ms)No.996, Personnel and Administrative Reforms (Placements) Department, dated 22.09.1984 would not be applicable to the Tamil Nadu Survey and Land records Subordinate Services. It is specifically applicable only to the Tamil Nadu Ministerial Service / Tamil Nadu Judicial Ministerial Service and also only to those who had been appointed as Junior Assistant, Typist and Steno-Typist recruited through Employment Exchange under General Rule 10(a)(i) and who are in temporary service as on 25.06.1984.

7. The 1st respondent herein does not belong to any of the aforementioned services. He was appointed



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as Draftsman (Technical Wing) under the Tamil Nadu Survey and Land Records Subordinate Services. It is obvious that G.O.(Ms)No.996, Personnel and Administrative Reforms (Placements) Department, dated 22.09.1984 is not applicable to him.

8. The Co-ordinate Division Bench of this Court in W.A.(MD)No.1392 of 2017, vide order dated 05.03.2024, had observed as follows :

“5. On perusal of the G.O.(Ms.)No.996 dated 22.09.1984, it is seen that the services of all the temporary personnel in the category of Junior Assistant, Typist and Steno Typist in the Tamil Nadu Ministerial Service/Tamil Nadu Judicial Ministerial Service and Typist and Steno Typist in the Tamil Nadu Secretariat Service recruited through employment exchange under General Rule 10(a)(1) and who were in temporary services as on 25.06.1984 be regularised with effect from 25.06.1984 in the same category and in the Department in which they were working. But the respondent/writ petitioner was working as a Draftsman (Technical Wing) under the Tamil Nadu Survey and Land Records Subordinate Service. Hence, the G.O.(Ms.)No. 996 Personnel and Administrative Reforms



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(Placements) Department, dated 22.09.1984 is not applicable to the respondent herein and the writ appeal has to be allowed.

6. In the result, this Writ Appeal is allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.”

9. The ratio is directly applicable to this case.

10. Accordingly, the present Writ Appeal stands allowed. The order of the learned Single Judge is, therefore, set aside and the Writ Petition is dismissed. No order as to costs. Consequently, connected miscellaneous petition is closed.”

4. The case on hand is similar. The order passed by the learned single Judge is set aside. This writ appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
18th August 2025

NCC : Yes / No
Index : Yes / No
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