



W.P(MD)Nos.34178 to 34196 of 2025 and 33656 to 33674 of 2025 and
36059 to 36066 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.34178 to 34196 of 2025 and 33656 to 33674 of 2025
and 36059 to 36066 of 2025

and

WMP(MD) Nos.27006, 27009, 27021, 27024, 27031, 27032, 27010,
27015, 27026, 27028, 27033, 27034, 27000, 27001, 27004, 27008,
27013, 27014, 27060, 27062, 27071, 27073, 27076, 27078, 27003,
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26622, 26623, 26624, 26627, 26628, 26577, 26581, 26631, 26632,
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2025 and 28659, 28660, 28666, 28667, 28677, 28678, 28681,
28682, 28717, 28718, 28719, 28720, 28668, 28669, 28671 &
28672 of 2025

M.Ramalingam

... Petitioner in
WP(MD) No.34178/ 2025

P.Packiyaraj

... Petitioner in
WP(MD) No.34179/ 2025

P.Kalidas

... Petitioner in
WP(MD) No.34180/ 2025



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Charles Stella

... Petitioner in
WP(MD) No.34181/ 2025

N.Kalaivani

... Petitioner in
WP(MD) No.34182/ 2025

L.Murugeswari

... Petitioner in
WP(MD) No.34183/ 2025

A.Pandeeswaran

... Petitioner in
WP(MD) No.34184/ 2025

M.Sankaralingam

... Petitioner in
WP(MD) No.34185/ 2025

K.Revathi

... Petitioner in
WP(MD) No.34186/ 2025

P.Pandi

... Petitioner in
WP(MD) No.34187/ 2025

Sekar

... Petitioner in
WP(MD) No.34188/ 2025

R.Muthuperumal

... Petitioner in
WP(MD) No.34189/ 2025

S.Veerakumar

... Petitioner in
WP(MD) No.34190/ 2025

P.Sivakumar

... Petitioner in
WP(MD) No.34191/ 2025



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S.Selvakumar

... Petitioner in
WP(MD) No.34192/ 2025

M.Uthamaraj

... Petitioner in
WP(MD) No.34193/ 2025

P.Gomathi

... Petitioner in
WP(MD) No.34194/ 2025

G.Ragupathy

... Petitioner in
WP(MD) No.34195/ 2025

G.Geethamani

... Petitioner in
WP(MD) No.34196/ 2025

Arulselvam Ilamathi Vendhan

... Petitioner in
WP(MD) No.33656/ 2025

S.Gopi

... Petitioner in
WP(MD) No.33657/ 2025

G.Ambika

... Petitioner in
WP(MD) No.33658/ 2025

I.Kumar

... Petitioner in
WP(MD) No.33659/ 2025

Chelladurai

... Petitioner in
WP(MD) No.33660/ 2025

M.Raju

... Petitioner in
WP(MD) No.33661/ 2025



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V.Sudalimuthu

... Petitioner in
WP(MD) No.33662/ 2025

S.Bani Durai

... Petitioner in
WP(MD) No.33663/ 2025

M.Suresh

... Petitioner in
WP(MD) No.33664/ 2025

Annathai

... Petitioner in
WP(MD) No.33665/ 2025

E.S.Esakkiammal

... Petitioner in
WP(MD) No.33666/ 2025

Sasireha

... Petitioner in
WP(MD) No.33667/ 2025

Subbuthai

... Petitioner in
WP(MD) No.33668/ 2025

Prema

... Petitioner in
WP(MD) No.33669/ 2025

S.Indira

... Petitioner in
WP(MD) No.33670/ 2025

R.Rajeswari

... Petitioner in
WP(MD) No.33671/ 2025

S.Manimekalai

... Petitioner in
WP(MD) No.33672/ 2025



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R.Maheswari

... Petitioner in
WP(MD) No.33673/ 2025

Jayakumar

... Petitioner in
WP(MD) No.33674/ 2025

A.Nagarajan

... Petitioner in
WP(MD) No.36059/ 2025

Mahendran

... Petitioner in
WP(MD) No.36060/ 2025

R.Shunmugaraja

... Petitioner in
WP(MD) No.36061/ 2025

Sivakumar

... Petitioner in
WP(MD) No.36062/ 2025

T.Sukumar

... Petitioner in
WP(MD) No.36063/ 2025

Arumugasamy

... Petitioner in
WP(MD) No.36064/ 2025

P.Sagayanevis Kavitha

... Petitioner in
WP(MD) No.36065/ 2025

Marisamy

... Petitioner in
WP(MD) No.36066/ 2025

Vs



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1.The State of Tamil Nadu,
Rep.,By its Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai - 9.

2.The Director - Sasta,
Social Audit Unit of Tamil Nadu,
Panagal Maaligai, West Saidapet,
Chennai - 600 015.

...Respondents
(In all WPs)

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in R.O.C.No.S1-220/2197/2025 dated 04.11.2025 on the file of the Respondent No.2 and quash the same as illegal.

For Petitioners : Mr.Lajapathi Roy
Senior Counsel for
M/s. Roy and Roy Associates
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
(In all WPs)

COMMON ORDER

The petitioners are working as Block Resource Persons under the Social Audit Unit of Tamil Nadu, Chennai/ the second



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respondent herein. The second respondent Society is an independent Organization, registered under the Tamil Nadu Societies Registration Act, 1975, established for the purpose of conducting Social Audit of Government Schemes such as Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Noon Meal Programme, as per the prescribed Rules. The second respondent by the impugned memo in these writ petitions, directed the petitioners to offer their explanations for their unsatisfactory performance in reporting financial misappropriation issues to the expenditure of the Village Panchayats under MGNREGS Scheme. Challenging the same, the petitioners have approached this Court.

2.The learned Senior Counsel appearing for the petitioners submits that these petitioners are working as Block Resource Persons from the year 2014 for more than 10 years and by the memo impugned, they are sought to be terminated from service that their performance is not satisfactory. For the purpose of



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assessing the performance of Block Resource Persons, the second respondent has referred the State wide ratio of 0.62/- as yardstick and issued this memo that these petitioners have not pointed out financial misappropriations to that of the total value of the work done in the Village Panchayats and therefore, arrived at a conclusion that their performance are not satisfactory. In the event, if there is no financial misappropriation in a particular Village and if it has not been pointed out by the Block Resource persons/the petitioners, the respondents are taking it that there is no satisfactory performance, thereby the respondents are insisting the petitioners/Block Resource persons to report the financial misappropriation, even in the absence of any financial irregularities within the Village Panchayats. The learned Senior Counsel has also relied on the earlier order of this Court in WP Nos.19335 and 18552 of 2023, dated 29.08.2023, wherein, this Court has directed the respondents not to disengage those petitioners from their service except in case, whether they are unfit or found guilty of any misconduct. Further direction was also



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2.1.The learned Senior Counsel further submits that these petitioners are also similarly placed; they have been engaged on contract basis temporarily for a period of one year and allowed to work for more than 10 years by extending the contract period periodically. The contract itself prescribes the period of appointment as one year and it will be renewed based on the performance and need. The condition Nos.10 & 11 of the Contract would be relevant and the same are extracted as under:-

"10.The individual can be terminated by the Director, Social Audit Society of Tamil Nadu at any time without assigning any reason therefor.

11.Any corrupt practice, negligence to the assigned duty, failure to adhere to the duties and responsibilities shall entail in summary dismissal of the individual."

While so, in the year 2023, some of the petitioners have approached the Principal Seat of this Court by way of above referred writ petitions, seeking a writ of declaration that the respondents are



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creating artificial break in service and attempting to disengage them from their respective service and this Court, by its order, dated 29.08.2023 has disposed of those writ petitions as under:-

"i.The respondents shall not disengage the petitioners from their services, except in the cases where they are unfit or found guilty of any misconduct or involved in any criminal case or act(s) of moral turpitude, etc.,

ii.The respondents shall consider renewal of the contract with the petitioners, instead of disengaging them totally by engaging a new set of persons".

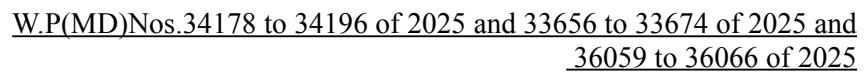
3. The learned Special Government Pleader appearing for the respondents submits that Social Audit Unit of Tamil Nadu an organization registered under the Tamil Nadu Societies Registration Act, 1975. Social Audit Unit of Tamil Nadu (SASTA) is an independent Organization, established by the Government of Tamil Nadu to facilitate conducting of Social Audits of Government Schemes like MGNREGS, Noon Meals Programme, in the manner prescribed under relevant Rules and to submit a summary of



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findings of such Social Audits during the financial year to the Government. The objective is to create continuous public vigilance to ensure accountability in the implementation of the Scheme guidelines and policies. To ensure quality and maintenance of ethical standards in the social audit process and to follow-up the social audit findings, every Social Audit Unit has appointed adequate number of District and Block Resource persons. For the purpose of conducting of Social Audit, Block Resource Persons have been appointed as Block level all over the State, on contract basis. Based on their performance in the previous year, the contract period is renewed for one more year at a time. There are certain terms and conditions of the annual contract, which stipulate integrity, morality, good conduct and satisfactory performance. The appointment of the petitioner is governed by the terms and conditions of the contract. There are issues in quantity and quality of the works and the Resource persons have to identify them correctly and record the loss of money to the Government and make audit paras as financial misappropriation



- i. Financial Misappropriations
- ii. Financial Deviation
- iii. Process Violation
- iv. Grievances of which financial misappropriation is very important. If the Resource person is not effectively auditing then financial misappropriation value is bound to be lesser.

The ration is $150/15 = 10\%$



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- 1.Those who performed above the average value of the ratio i.e 0.62/-
- 2.Those Block Resource persons, who performed below this value of 0.62%

The low performers were reminded of their unsatisfactory performance and a warning was given to them that as per the contract terms and conditions, action would be initiated. As such, the petitioners are poor performers with less value compared with the average ratio of 0.62/-. Therefore, a memo was issued to them, which is a routine administrative procedure of warning an employee expecting / demanding a better performance from him.

3.2. The learned Special Government Pleader further submits that the memo has been issued only to the poor performers and not to the better performers and therefore, there is no malafide. According to him, the charge is specific that the poor performance of the petitioners has affected the quality of social audit in the State. Many Resource Persons as that of petitioners have replied to the



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memo that they will improve their performance in future. Many Resource persons, who are hesitant to raise financial misappropriation paras have been found to have compromised on their integrity. The Memo has been issued that the petitioners have not adequately performed in respect of raising financial misappropriation paras with reference to the performance of other Resource persons. If the petitioners are having any valid reasons for their poor performance, that would be considered impartially, by following the principles of natural justice.

3.3.The learned Special Government Pleader has provided the statistics that the total number of Block Resource persons are 496 in total 12524 Village Panchayats in the State of Tamil Nadu. Out of 496 Block Resource Persons, 331 were issued with a memo and 105 Block Resource Persons have replied to the memo. Serving memos to the non-performing Resource persons by the Head of the Department/Head of Office periodically is a means



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to ensure effective administration and to enhance staff capability, not to be viewed as a tool to victimize.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioners/Block Resource Persons have been engaged by the second respondent on contract basis for a period of one year. These petitioners are bound by the terms and conditions of the Contract. The contract itself prescribes a condition that the contract would be renewed only on the basis of their performance and need. The condition Nos.10 & 11 extracted as above would reserve right of the second respondent in terminating the services of the contract. The order impugned in these writ petitions is a memo issued by the second respondent, calling for their explanations on their poor performance. The impugned memos are in the form of show cause notice. It is a settled position of law that at the stage of



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show cause, the Courts are not supposed to interfere with. The Hon'ble Supreme Court in *Union of India Vs Kunisetty Satyanarayana*, reported in *2006 SCC Vol.II, 28*, has held that the charge memo or show cause notice shall not be interfered with by the orders of the Courts except lack of jurisdiction of the authority or if any malafides are attributed. The petitioners have not made out any such case. It is reported that there are 496 Block Resource persons working under the second respondent, out of which, memos have been issued only to 331 Block Resource persons. The second respondent has also claimed that 105 have responded to the memo. The respondents in their counter affidavit have also stated that the purpose of issuing a memo is an administrative tool to enhance the performance of the petitioners. It is also stated that since the replies were not satisfactory in terms of their poor performance, they were advised to improve the quality of their work in future and nobody has been terminated.



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6.In view of the above, this Court is not inclined to interfere with impugned memo. Accordingly, these writ petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

17.12.2025

NCC: Yes/No
Index:Yes/No
vrn

To

- 1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai - 9.
- 2.The Director - Sasta,
Social Audit Unit of Tamil Nadu,
Panagal Maaligai, West Saidapet,
Chennai - 600 015.



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B.PUGALENDHI, J.

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Common Order made in
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