



WP(MD). No.35140 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08/12/2025

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.35140 of 2025

T.Swaminathan

... Petitioner

versus

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The District Adi-Dravidar and
Tribal Welfare Officer,
Adi Dravidar and Tribal Welfare Officer,
Tirunelveli District..
3. The Special Thashildar,
Adi Dravidar and Tribal Welfare Department,
Tirunelveli District
Tirunelveli.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to act upon the proposal of the 3rd respondent in Na.Ka.No.Aa/344/2025 dated 27.10.2025 seeking petitioner's arrears of salary for the period between 10.09.2022 to 11.01.2024 by considering



WP(MD). No.35140 of 2025

his representation dated 23.10.2025 and pass suitable orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader

ORDER

The petitioner was appointed as a Cook in the Adi-Dravidar Welfare Department, by order dated 31.12.2020 and he joined the duty on 08.01.2021. While so, his appointment order was cancelled on 29.08.2022 that he was unqualified. As against the order dated 29.08.2022, the petitioner filed a writ petition in W.P.(MD)No.21759 of 2022, wherein, this Court, by order dated 13.02.2023, allowed the writ petition and set aside the impugned order of cancellation. Challenging the same, the Department has preferred an appeal in W.A.(MD)No.1589 of 2023 and the same was dismissed by confirming the order passed in the writ petition. Pursuant to the same, the petitioner was reinstated into service with effect from 12.01.2024 and his services were also regularised by a proceedings dated 16.09.2024. However, the petitioner



WP(MD). No.35140 of 2025

was not paid with any salary during that period. Therefore, he submitted a representation dated 23.10.2025, seeking arrears of salary for the period between 10.09.2022 to 11.01.2024, during which, he was kept out of service illegally. According to the petitioner, the 3rd respondent, in Na.Ka.No.Aa/344/2025 dated 27.10.2025, forwarded the petitioner's representation to the first respondent for necessary orders. However, the first respondent has not acted upon it. Therefore, he has filed this writ petition.

2. The learned counsel for the petitioner has relied on a similar order passed by this Court in W.P.(MD)No.14683 of 2022, dated 19.07.2022, wherein, this Court found that the cancellation of appointment order is illegal and also directed the respondent to pass orders by granting service and monetary benefits during the period of his non-employment. This order has also been complied with by the respondent.

3. Mr.C.Venkatesh Kumar, learned Special Government Pleader, takes notice for the respondents and submits that the petitioner is not



WP(MD). No.35140 of 2025

entitled for any salary for the period between 10.09.2022 to 11.01.2024 on the ground of 'no work and no pay'.

4. Since this Court has taken a view on the similar issue that the cancellation of appointment itself is illegal and a relief was also granted to the similarly placed persons and that was also complied with, this writ petition is disposed of with a direction to the respondents to pass orders on the petitioner's representation, by extending all the service and monetary benefits during the period of his non-employment, including the arrears of salary, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

08.12.2025

ogy

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.



WP(MD). No.35140 of 2025

To
WEB COPY

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The District Adi-Dravidar and
Tribal Welfare Officer,
Adi Dravidar and Tribal Welfare Officer,
Tirunelveli District..
3. The Special Thashildar,
Adi Dravidar and Tribal Welfare Department,
Tirunelveli District
Tirunelveli.



WEB COPY



WP(MD). No.35140 of 2025

B.PUGALENDHI, J.

ogy

**ORDER
in
WP(MD) No.35140 of 2025**

Date : 08/12/2025