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W.A.(MD)NO.753 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.753 of 2020 AND
C.M.P.(MD)No.4330 of 2020

1. The 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.

D.Paulraj ... Respondent / Petitioner

Prayer: Writ appeal filed under Clause 15 of the Letters Patent,
to allow the writ appeal by setting aside the order passed in W.P.
(MD)No.19184 of 2016 dated 09.11.2016.



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W.A.(MD)NO.753 OF 2020

For Appellant : Mr.K.P.Krishnadoss

* * *

J U D G M E N T

The State is on appeal challenging the order dated 09.11.2016 passed by the learned single Judge allowing W.P.(MD)No.19184 of 2016.

2. Though the respondent has been served and his name is also printed in the cause list, he has not chosen to appear either in person or through counsel.

3. The respondent herein joined the Survey Department as draughtsman on 14.03.1983. His service was regularised with effect from 28.03.1988. The writ petitioner invoking G.O.Ms.No.996 Personnel and Administrative Reforms (Placements) Department dated 22.09.1984 sought regularisation from the date of his original appointment and for notional promotion with monetary benefits. The learned single Judge relying on the order dated 25.03.2014 in W.P.(MD)Nos.12477 and 12478 of 2007 allowed the writ petition.



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

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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 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.



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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 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



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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 (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.”

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5. The case on hand is absolutely 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.)
11th August 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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