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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WA No. 1036 of 2021

and

CMP No. 6539 of 2021 & CMP No. 5121 of 2023

1. N.Arulmozhi
D/o. N. Natarajan, District Registrar, O/o.
Inspector General Of Registration, Chennai 28.
2. D. Mani
S/o. V.R. Duraisamy, District Registrar, O/o.
Inspector General Of Registration, Chennai 28.
3. N. Balasubramanian
S/o. M Narayanasamy, District Registrar
(admn) Tindivanam.
4. G. Jayakumar
S/o. J.P. Gnanaselvarajan, District Registrar
(audit) Chidambaram Dt.
5. Pandiyarajan
S/o. Ramalingam, Sub Registrar (district
Registrar Cadre) Adyar, Chennai (south)
Chennai
6. Tamil Nadu Pathivuthurai SC/ST Paniyalar
Nalasangam,
rep by its Deputy President(Rural)
R.Elavarasan, S/o K.Raju, No.106,
Bogar Salai, Adivaram,Palani,
Dindigul District -624 601
(A6 impleaded as per order dt.22.1.2026 by
SMSJ & cKJ in CMP.No.20813 of 2024)

..Appellant(s)



Vs

1. State Of Tamilnadu
Rep By Secretary To Government,
Commercial Taxes And Registration
Department, Fort St.Goerge, Chennai 9.
2. The Inspector General Of
Registration, Chennai 28.
3. Registration Department SC/ST
And M.B.C. Employees General Welfare
Sangam Rep By its General Secretary No.18,
Luz Church Road, Pattinampakkam, Chennai
28.
4. G.R.Murali
Son of .Ramadoss ,President of the
Registration Department B.C.Welfare
Association, No.59, Ramasamy Street,
Mannadi, Chennai 600 001.

(Impleaded The 4th Respondent Vide Court
Order Dated 24.8.2022 Made In Cmp
No.12067 Of 2022 In WA.No.1036 Of 2021.
(Puj And Vbsj).

..Respondent(s)

WA No. 1036 of 2021

For Appellant(s):	Mr.MA.Gouthaman for A1 to 5 Mr.P.Vijendran for A6
For Respondent(s):	Mr.R.Neelagandan Addl.A.G assisted by Mr.Stalin Abhimanyu,AGP for R1 & R2 Mr.K.Premkumar for R3 Mr.R.Singaravelan, Senior Counsel for Mr.s.Mahaveersshivaji for R4



backward to MBC, DNC candidates along with SC/ST candidates as per the existing service rules. The said Government Letter dated 30.01.2019 came to be challenged in a batch of writ petitions and a common order was passed on 23.12.2020 directing that the entire process of implementation of Government letter Ms.No.17 dated 30.01.2019 shall be completed but the actual implementation shall be kept in abeyance till the disposal of W.P.No.2334/2019 wherein, a larger issue regarding *inter se* rights between the direct recruits and promotees to the post of Sub Registrar Grade II. Para 25(b) of the said judgement reads as under:

“The entire process of implementation of the Government letter in (Ms) No.17, dated 30.01.2019, shall be completed and kept ready within a period of three months and the actual implementation shall be kept in abeyance till the disposal of WP 23343 of 2019, wherein, a larger issue has been raised regarding the inter-se rights between the direct recruits and promotees to the post of Sub Registrar Grade II and an interim order has also been passed by this Court.”

4. W.P.No.23342/2019 was disposed of on 03.03.2022, wherein this Court set aside the “Assistant” cadre seniority lists dated 07.06.2016 and 02.02.2018 and further directed to prepare fresh seniority list by placing directly recruited Assistants above promotee Assistants. Accordingly, steps were taken to revise panel of Sub-Registrar Grade II as per order of the Court



dated 23.12.2020. The Department completed the entire process of implementation of Government Letter (Ms.)No.17 dated 30.01.2019, revision of panels of Sub-Registrars Grade-II from the year 1997 till 2016-17 and issued new panels of Sub- Registrar Grade-II from the year 2017-18 till 2022-2023 were carried out vide Inspector General of Registration Order No.6378/A5/2020 dated 11.08.2022 and 25.09.2022. The said exercise was completed subject to the outcome of the writ appeals filed.

5. Revision of panels of Sub Registrar grade II from the year 1997 till 2016-17 carried out vide order 11.8.2022 and 25.09.2022 and posting orders were also issued vide order dated 29.9.2022. The entire process of implementation of the Government letter Ms.No.17 dated 30.1.2019 has been completed in accordance with the order of this Court dated 23.12.2020.

6. WA.Nos.1027 and 2308/22 were filed by some individuals challenging common order dated 03.03.2022 passed in W.P.No.23342 of 2019 and an order of interim stay of the operation of the said common order dated 3.3.2022 was granted. While granting interim stay, following order was passed by this Court on 17.10.2022 in the said Writ Appeal.

“5. Since the order arising from the said writ petition (W.P.No.23342 of 2019) is stayed by this Court as noted above, going by the stipulation provided by learned single Judge in para 25-b, the actual implementation of the order dated 23.12.2020 needs to be and is ordered to be kept in abeyance till



disposal of W.A.Nos.2308 of 2022 and 1027 of 2022. we also note that, since the State has accepted the impugned order dated 23.12.2020, in due compliance of the directions issued by learned single judge vide para 25-b, the State cannot implement the said order and therefore is restrained from implementing the said order, for the reasons and circumstances noted above.”

The actual implementation of the common order dated 23.12.2020 was kept in abeyance till the disposal of W.A.No.2308/2022 and W.A.No.1027/2022.

7. The stand of the Department is that the judgment rendered by the Hon'ble Supreme Court by declaring law will have to be necessarily given retrospective effect and accordingly, revised seniority list and panels were prepared and published. Further action was taken by the Department based on the revision of panels of Sub Registrar Grade-II from the year 1997 till date carried out vide order dated 11.08.2022 and 25.09.2022. The Department was not in a position to fill up the vacant posts on account of pendency of these writ appeals.

8. The issues raised are elaborately considered by this Court in the case of **Venkatesekar in W.A(MD) No.1522/2022 dated 12.12.2023** The relevant paragraphs of the judgment reads as under:

28. The above contention is also incorrect, because the Apex Court in the order dated 11.09.2018 in C.A.Nos.9334 to



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9336 of 2019 in S.L.P. (C) No.5588, 5589 and 7651 of 2006, has ruled as follows: “11. If that is so, the rule of reservation set out in Rule 22 of the Rules read with the specific provisions of the Tamil Nadu Commercial Taxes Subordinate Service Rules, Tamil Nadu Registration Subordinate Service Rules and the Tamil Nadu Revenue Subordinate Service Rules would govern the matter and benefit of reservation would be available in posts of Deputy Registrar, ACTO and Sub-Registrar Grade II for Backward Class category also following recruitment by transfer to the said posts.”

29. Therefore, the Honourable Supreme Court has clearly indicated that the Judgment would be applicable to the Tamil Nadu Revenue Subordinate Service also. More so, as we have pointed out earlier, the Government Order in G.O.(Ms) No.87, Revenue and Disaster Management Department, Services Wing, [Ser.3(2)] Section, dated 06.03.2019, and the consequential Circular, dated 29.06.2019, are sub judice before the Honourable Supreme Court in S.L.P.(C) No.3792 of 2021. Even the revised temporary panel of Deputy Tahsildar is subject to the final orders to be passed by the Honourable Supreme Court in the said Special Leave Petition. However, at present, the revised temporary panel of Deputy Tahildar is inconsonance with the Tamil Nadu Revenue Subordinate Service Rules, which is upheld by the Apex Court in its Judgment dated 11.09.2018. The said Judgment is to be given effect to with effect from 11.09.2018, since the Judgments are to be implemented retrospectively is the settled principle. Thus, the arguments advanced by the learned counsels for the respondents / writ petitioners, in this context, deserve no merit consideration.



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30. Another contention raised is that names of Scheduled Caste / Scheduled Tribe candidates were considered while preparing the revised temporary panel of Deputy Tahsildar from the year 2004 to 2018. Section 27 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 read with Rule 6 of the Tamil Nadu Revenue Subordinate Service Rules provides reservation to Scheduled Caste / Scheduled Tribe candidates and the rule of reservation since not adopted from the year 2004, the Apex Court directed to redraw the temporary panel by providing the rule of reservation.

31. While implementing the rule of reservation with retrospective effect, the consequence would be that many number of Scheduled Caste / Scheduled Tribe candidates, whose names were not included earlier, will get an opportunity with retrospective effect in the revised temporary panel. That exactly is the reason why in the revised temporary panel, several Scheduled Caste / Scheduled Tribe candidates' names have been included. This being the offshoot of the implementation of the rule of reservation, we do not find any infirmity in the revised temporary panel prepared by the District Collectors concerned.

9. Re-adjudication of the issues already adjudicated in judgment dated 12.12.2023 based on the law declared by the Supreme Court, is unnecessary. Thus, the action of the Department regarding preparation of revised panel with retrospective effect is in consonance with law declared by the Hon'ble Apex



Court of India. Thus, this Writ Appeal is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petitions are

closed.

(S.M.S.,J.) (C.K.,J.)
22-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VSI

To

1. The Secretary to Government, Commercial Taxes And Registration Department, Fort St.Goerge, Chennai 9.

2.The Inspector General Of Registration, Chennai 28.

3.Registration Department SC/ST
And M.B.C. Employees General Welfare Sangam Rep By its General Secretary No.18, Luz Church Road, Pattinampakkam, Chennai 28.



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**S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.**

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