WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE KRISHNASWAMY GOVINDARAJAN

WP.Nos.20505 & 20683 of 2012

WP.No.20505 of 2012
CNR:{HCMA010200002012}

K.Tamilvannan ..Petitioner

Vs

1. The Secretary to Government of Tamil Nadu,
   Highways Department,
   Secretariat, Chennai-600 009.

2. The Chief Engineer (General),
   Highways Department,
   Chepauk, Chennai-600 005.

3. The Divisional Engineer,
   Highways Division, Salem. ..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint the petitioner herein in the existing or future vacancies as Gang Mazdoors in regular time scale of pay in light of the orders passed by this Court in W.P.No.36623 of 2004 which was upheld by the Division Bench of this High Court in

https://www.mhc.tn.gov.in/judis

WEB COPY

W.A.No.1260 of 2008 and confirmed by the Honourable Supreme Court in C.C.No.14093 of 2010.

WP.No.20683 of 2012
CNR: {HCMA010206502012}

P.Muniappan ..Petitioner

Vs

1. The Secretary to Government of Tamil Nadu,
   Highways Department,
   Secretariat, Chennai-600 009.

2. The Chief Engineer (General),
   Highways Department,
   Chepauk, Chennai-600 005.

3. The Divisional Engineer,
   Highways Division, Krishnagiri. ..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint the petitioner herein in the existing or future vacancies as Gang Mazdoors in regular time scale of pay in light of the orders passed by this Court in W.P.No.36623 of 2004 which was upheld by the Division Bench of this High Court in W.A.No.1260 of 2008 and confirmed by the Honourable Supreme Court in C.C.No.14093 of 2010.

https://www.mhc.tn.gov.in/judis

WEB COPY

In both WPs

For Petitioners: Mr.V.S.Jagadeesan
for Mr.R.Rengaramanujam

For Respondents: Mr.C.P.Goutham,
Government Advocate

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to appoint the petitioners in existing or future vacancies as Gang Mazdoors in the regular time scale of pay, in the light of the orders passed by this Court in W.P.No.36623 of 2004, which was upheld by a Division Bench of this Court in W.A.No.1260 of 2008, and subsequently confirmed by the Hon'ble Supreme Court in C.C.No.14093 of 2010.

2. It is a well-settled principle of law that this Court, while exercising jurisdiction under Article 226 of the Constitution of India, does not possess the power to directly regularise the services of any particular person.

3. However, it is seen from the typed set of papers annexed to these petitions that the petitioners have already submitted individual representations dated 16.12.2011 and 04.07.2012 respectively to the authorities, which are yet

https://www.mhc.tn.gov.in/judis

WEB COPY

to be disposed of.

4. In view of the limited scope of the prayer, this Court directs the writ petitioners to submit a fresh representation, enclosing a copy of their earlier representations along with a copy of this order, to the second respondent within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of such fresh representation, the second respondent shall consider and pass appropriate orders on the same on its own merits and in accordance with law, uninfluenced by any observation made by this Court in this order.

5. It is made clear that this Court has not given any positive direction to the respondents to regularise or appoint the petitioners, and the authority shall evaluate the representation strictly on its legal viability.

6. With the above directions, these writ petitions stand disposed of. No costs. Connected miscellaneous petitions, if any, are closed.

28-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Sni

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1.The Secretary to Government of Tamil Nadu,
Highways Department,
Secretariat, Chennai-600 009.

2.The Chief Engineer (General),
Highways Department,
Chepauk, Chennai-600 005.

3.The Divisional Engineer,
Highways Division, Salem.

4.The Divisional Engineer,
Highways Division, Krishnagiri.

https://www.mhc.tn.gov.in/judis

WEB COPY

KRISHNASWAMY GOVINDARAJAN, J.

Sni

WP.Nos.20505 & 20683 of 2012

28-10-2026

https://www.mhc.tn.gov.in/judis