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WA No. 369 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WA No. 369 of 2026
and CMP.No.3247 of 2026**

K.Venkatramanan
S/o.V.Krishnaiyah,

..Appellant

Vs

1. The principal Secretary to Government
Health And Family Welfare Department,
Secretariat, Chennai-600 009.
2. The Director of Public Health and
Preventive Medicine,
DMS Campus, Anna Salai,
Chennai 600 006.
3. The Block Medical Officer
Government Primary Health Centre,
Elandakuttai - 638 008,
Namakkal Dist.

..Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act,
To set aside the order passed in WP.No.15100 of 2025 dated 18-11-2025.

For Appellant : Ms.K.Abhirame
for Ms. Srimathi V

For Respondents : Ms.M.Sneha,
Spl Counsel for Health and Family
Welfare Department



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JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra-court appeal has been directed against the order passed by the Writ Court dated 18.11.2025 made in W.P.No.15100 of 2025.

2. The appellant was the writ petitioner, who was originally appointed to the post the Leprosy Inspector on 11.05.1987 and in that capacity, he worked till 31.07.1997. Thereafter, by virtue of G.O.(Ms.)No.320, Health and Family Welfare (G-1), Department dated 27.06.1991, the post of Leprosy Inspector was redesignated and classified as Health Inspector Grade -I B. However, there was no revision of pay even though the redesignation had been made as Health Inspector Grade- I B. Therefore, a representation had been given in order to set right the pay anomaly. The Government issued further Government Order in G.O.Ms.No.382, Health and Family Welfare (N1) Department, dated 12.10.2007, where still some confusions seems to have been there and ultimately, the Leprosy Inspectors, who were absorbed under Multi-Purpose Health Worker Scheme on 01.08.1997 were entitled to be redesignated as Health Inspectors Grade – I from 01.08.1997. Still there were some disparity among the Health Inspector Grade - I B.



3. Based on these issues, the incumbents, who had been working as Health Inspector Grade - I and Grade - IB, had been fighting with each other for getting the *inter se* seniority and promotion and ultimately, the matter has gone to Hon'ble Supreme Court, where orders have been passed, pursuant to which, the employer i.e., the Government set right everything by drawing a combined seniority list consisting of 3 categories including the Grade I category and Grade I B category and based on these three categories, the combined seniority list had been prepared.

4. In this context, it is to be noted that insofar as the present petitioner/appellant is concerned, he was promoted as Block Health Supervisor in the year 2007-2008. However, as per the turn of the petitioner/appellant, he became eligible only for the panel year 2009-2010.

5. While granting such promotion by order dated 08.09.2014, the effect was given retrospectively with effect from 07.11.2008 as Block Health Supervisor to the appellant/petitioner. These kind of promotions earned by the people like the petitioner/appellant, though they were juniors comparing with others, who found place in the combined seniority list since have to face the reversion and,



that reversion also since was directed to be taken place and the same has not been complied with and contempt petitions also have been filed. Ultimately, some writ petitions as well as the sub applications filed in contempt petitions came to be decided by a Division Bench of this Court on 28.03.2024, where the following directions were issued:

“67. The reason being that, the petitioners covered under 13.07.2007 orders are not belong to third category, i.e., Multi Purpose Health Assistant category and therefore such a benefit extended to them cannot be extended to Multi Purpose Health Assistant category since they are admittedly juniors to other two category people. That is the reason why while preparing the combined seniority list among the three categories, who is to come first, who is to follow next and who is to come last have been discussed and decided which in fact has been implemented by preparing the combined seniority list.

68. Therefore at no stretch of imagination, the prayer sought for in these writ petitions can be acceded to.

69. The petitioners herein, admittedly belong to the third category, should be placed in the bottom of the seniority list as stated supra. Therefore they have to necessarily earn promotion only when their turn comes as per the combined seniority list.

70. In this context, unless the 839 in the second category are getting promotion even the very first candidate of the third category like the petitioners cannot earn such promotion to the post of Block Health Supervisor. Therefore whoever earned such promotion as Block Health Supervisor overlooking the seniority naturally they have to face the reversion. Hence such a reversion



order passed by the State / Government in respect of these petitioners, which are challenged in these writ petitions, are fully sustained and in accordance with law as well as the directions issued by this Court based on the combined seniority list prepared by the Government of course pursuant to the order passed by the Supreme Court, dated 07.05.2013. Therefore such a reversion orders cannot be said to be flawed or erroneous or unlawful.

71. Therefore those orders being sustainable one are to be accepted and hence the prayer sought for in all these writ petitions are liable to be rejected, accordingly, these writ petitions since deserve to be dismissed.

72. In view of the orders passed in these writ petitions, the Sub Applications as well the Contempt Petitions are to be closed.

73. Resultantly the Writ Petitions in W.P.Nos.29323, 31293, 31298, 31305, 31309, 31312 and 31314 of 2022 are dismissed and the Sub Application Nos.13 of 2020, 211 of 2022 and the Cont.P.Nos.1380 of 2016, 2383 of 2022 are closed as indicated above. However, there is no order as to costs. Consequently, connected miscellaneous petitions are closed.”

6. Therefore, in the combined seniority list, the first category people will be placed first, therefore naturally, they will earn promotion first, followed by 2nd category people and then only followed by 3rd category people. Since the petitioner/appellant belongs to the 2nd category, his turn would come only for getting promotion in the year 2009-2010, whereas by virtue of the order referred to above passed in the year 2014, he earned promotion with effect from



07.11.2008 for the post of Block Health Supervisor, therefore such kind of promotion, for which since the petitioner/appellant was not entitled to from 07.11.2008, hence, naturally, he had to face the reversion.

7. However, subsequently in the year 2009-2010 since he became eligible to get such a promotion and all these issues have been settled only in the year 2024, where the combined seniority list since have been issued, at the time of retirement on his superannuation the petitioner/appellant on 30.04.2020 was holding the post of Block Health Supervisor and from that post only he retired on superannuation.

8. Therefore, what was his last drawn pay he earned on his retirement on 30.04.2020 in the post of Block Health Supervisor shall be the basis for calculating the pensionary benefits.

9. In this context, it appears to be the grievance of the petitioner/appellant that since he earned promotion with effect from 07.11.2008, therefore from that date, his pay shall be calculated to the post of Block Health Supervisor and accordingly, no recovery shall be made and based on such a revised pay scale, the last drawn pay should be calculated and accordingly his pensionary benefits also to be revised seems to be his plea.



10. This was considered by the learned Judge in the writ petition, where he after having considered the Division Bench judgment dated 28.03.2024 and also the seniority position of the petitioner/appellant in the combined seniority list consisting of three categories of people, has come to the right conclusion that if at all any excess amount has been paid for the earlier promotion earned by the petitioner/appellant wrongly, despite his seniority did not reach at the time i.e., on 07.11.2008, those excess amount need not be recovered to the extent of more than Rs.5,00,000/-(Rupees Five lakhs only).

11. However, Insofar as the calculation of the pensionary benefits to the petitioner/appellant is concerned, his last drawn pay as Block Health Supervisor alone shall be taken into account and only by taking into account of his seniority from 2009-2010 onwards and not from 07.11.2008 and accordingly, his pensionary benefits be fixed and paid to him was the view taken by the learned Single Judge of-course correctly. Therefore, the said decision taken by the Writ Court through the impugned order is perfectly valid as it is in tune with the orders passed by the Hon'ble Supreme Court followed by the Division Bench judgment dated 28.03.2024 in Sub Application Nos.13 of 2020 and W.P.Nos.29323 of 2022 & etc., batch.



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12. In that view of the matter, we do not see any good reason to interfere with the order passed by the Writ Court. As a result of which, this writ appeal fails and hence, it is dismissed. No costs. Connected miscellaneous petition is closed.

**(R.S.K.,J.) (S.S.A.,J.)
26-02-2026**

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

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To

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Chennai-600 009.
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