



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 32957 of 2015

and

MP No.1 of 2015

S.Jeyaraj

..Petitioner(s)

Vs

1. Tamil Nadu Water Supply and Drainage Board,
Rep. by the Managing Director,
No.31, Kamarajar Salai,
Chepauk, Chennai-5.
2. The Joint Chief Engineer(General),
T.W.A.D. Board, Chennai-6.
3. The Chief Engineer,
Western Region,
T.W.A.D. Board, Coimbatore.
4. The Superintending Engineer,
T.W.A.D. Board,
Coimbatore-Nilgiris Circle,
Coimbatore.
5. The Executive Engineer,
T.W.A.D. Board,
Siruvani Maintenance Division,
Coimbatore-641011.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the first Respondent relating to the order in Letter No. 7193/Ve.Ni.Oo.2/2014 dated 26.12.2014, to quash the same and issue consequential directions to the First Respondent to absorb the Petitioner as Welder, Grade I, from 01.01.1984, grant



Selection / Special Grades in that post from 03.02.1994 and 05.02.2004 respectively and disburse the consequential monetary benefits with interest for the belated payments.

For Petitioner(s):

M/s.M.Ravi

For Respondent(s):

M/s. S.Silambanan, Sr.Advocate for

M/s.S.Shahila Banu, St. Counsel for R2 to R5

Mrs.S.Anitha, SGP for R1

ORDER

The petitioner challenges the order passed by the first respondent dated 26.12.2014. By the said order, the representation submitted by the petitioner seeking absorption as Welder Grade-I with effect from 01.01.1984, grant of Selection Grade in the said post with effect from 03.02.1994, grant of Special Grade with effect from 05.02.2004, and disbursement of the consequential monetary benefits, came to be rejected.

2. The petitioner joined service as a Welding Plant Operator (Welder Grade-III) on a temporary basis in the work-charged establishment of the Tamil Nadu Water Supply and Drainage Board on 01.07.1978. Upon completion of five years of service, he was brought into the regular establishment with effect from 01.01.1984 in the post of Welding Plant Operator (Welder Grade-III). The petitioner was thereafter placed in the Selection Grade post of Welder Grade-II

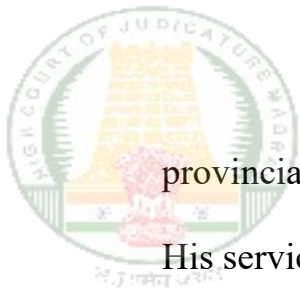


with effect from 01.01.1996. Subsequently, on completion of the requisite qualifications and after rendering satisfactory service in the post of Welding Plant Operator Grade-II, he was permitted to move to the Special Grade post of Welding Plant Operator Grade-II with effect from 05.02.2004. The petitioner retired from service on attaining the age of superannuation on 31.12.2011.

3. The petitioner submitted a representation to the first respondent contending that his services ought to have been absorbed as Welder Grade-I, as his junior, namely A. Kandasamy, who was appointed on 25.05.1979, was regularised in the post of Welder Grade-II on 26.05.1981. The learned counsel for the petitioner submitted that the said representation was rejected by the impugned order, which has led to the filing of the present writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents, and perused the materials available on record.

5. The first respondent has filed a counter-affidavit stating that the petitioner was initially appointed as Welder Grade-III under the non-



provincialised work-charged establishment on a temporary basis on 01.07.1978.

His services were subsequently regularised as Welder Grade-III with effect from 01.01.1984, vide proceedings dated 05.02.1990. The core contention of the respondents is that the petitioner neither challenged the order of regularisation nor raised any grievance during his service tenure and, having accepted the terms of employment, retired from service on attaining the age of superannuation.

6. In contrast, A. Kandasamy was appointed against a regular vacancy as Welder Grade-II on 25.05.1979 and completed his probation satisfactorily in the said post on 26.05.1981, thereby becoming an approved probationer in the regular category of Welder Grade-II.

7. Therefore, the petitioner cannot claim seniority over A. Kandasamy. More importantly, the petitioner did not challenge the proceedings dated 05.02.1990 by which his services were regularised with effect from 01.01.1984. Having accepted the said order, the petitioner is estopped from contending that his services ought to have been regularised from the date of his initial appointment, i.e., 01.07.1978.



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8. In the light of the above facts, this Court is of the considered view that A. Kandasamy was appointed against a regular vacant post, whereas the petitioner was appointed as Welder Grade-III under the non-provincialised work-charged establishment on a temporary basis. Consequently, the petitioner cannot be held to be senior to A. Kandasamy so as to claim the benefit of absorption as Welder Grade-I with effect from 01.01.1984. The contentions raised by the petitioner are therefore devoid of merit.

9. Accordingly, the writ petition stands **dismissed**. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

08-01-2026

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

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WEB COPY

WP No. 32957 of 2



HEMANT CHANDANGOUDAR, J.

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To

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