



WEB COPY

WP No. 7610 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 7610 of 2024

and W.M.P.No.8527 of 2024

R.Ramamoorthy

..Petitioner(s)

Vs

1. The Director of Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet,
Chennai-15.
2. The District Collector,
Cuddalore District, Cuddalore.
3. The Block Development Officer,
Melbhuvanagiri Panchayat Union,
Bhuvanagiri Taluk, Cuddalore District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records connected in Na.Ka.No.Aa2/750/2022, dated 10.06.2022 of the 3rd respondent and Na.Ka.No.BC1/5013/2022, dated 11.10.2022 of the 2nd respondent and quash the same and consequently direct the respondents to regularize the services of the petitioner based on the Hon'ble High Court order dated 07.12.2017 in W.P.No.30374 of 2003.

For Petitioner(s) : Mr.K.Arumugam

For Respondent(s) : Mr.T.M.Rajangam, GA



ORDER

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This writ petition is filed to call for the records connected in Na.Ka.No.Aa2/750/2022, dated 10.06.2022 of the 3rd respondent and Na.Ka.No.BC1/5013/2022, dated 11.10.2022 of the 2nd respondent and quash the same and consequently direct the respondents to regularize the services of the petitioner based on the Hon'ble High Court order dated 07.12.2017 in W.P.No.30374 of 2003.

2. The case of the petitioner is that the petitioner was initially appointed as Cholera Mazdoor through Employment Exchange in the year 1995 and posted at Government Primary Health Centre, Krishnapuram, Melbhuvanagiri Panchayat Union, Cuddalore District and continued in the said post till the year 1999. However, the similarly placed persons, who were appointed as Cholera Mazdoor approached the Tamil Nadu State Administrative Tribunal and got regularization in the service. In order to avail such benefit, the petitioner has also filed an original application before the State Administrative Tribunal, which was later transferred to this Court and re-numbered as W.P.No.6849 of 2007 and this Court by its order dated 05.03.2014 issued a direction to the respondents therein to appoint the petitioner in any one of the basic service. Against which, the respondents preferred an appeal in W.A.No.84 of 2015 and the learned Division Bench of this Court has confirmed the order of the learned



Single Judge. Thereafter, the third respondent has appointed the petitioner as Overhead Tank Operator on 09.03.2018 with a pay of Rs.750/- per month.

Under these circumstances, the petitioner made an application to enhance the pay and regularize the service from the date of initial appointment, but, the same was not considered. In this regard, again the petitioner has filed a writ petition before this Court in W.P.No.21174 of 2010 seeking appointment on regular time scale of pay in the cadre of basic service personnel and this Court by its order dated 28.01.2022 disposed the same by issuing direction to the respondents to consider the petitioner's representation within a period twelve weeks. Pursuant to which, the third respondent rejected the petitioner's request on 10.06.2022 and passed the present impugned order, which was under challenge in this writ petition.

3. Learned counsel for the petitioner would submit that initially the petitioner was appointed as Cholera Mazdoor and pursuant to the direction issued by this Court, he was appointed as Over Head Tank Operator in the year 2018. However, till today, regularization of service on regular time scale of pay was not granted to the petitioner and the salary was also not paid to him. Accordingly, he prays for appropriate orders.

4. Per contra, learned Additional Government Pleader appearing for the respondents would submit that the petitioner is working in Village Panchayat.



Hence, he is not governed under the Government Service Rules.

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5. Heard the learned counsel on either side and perused the materials available on record.

6. The facts in the present case are not in dispute. Initially, the Over Head Tank Operators are governed by G.O.Ms.No.15 dated 07.02.2011, wherein they were paid consolidated pay and periodically the pay was enhanced by way of G.O.Ms.No.76 dated 05.07.2017 and letter dated 07.04.2020. Finally, the Government has issued G.O.Ms.No.20 dated 04.02.2021 by enhancing the consolidated pay from Rs.2600/- to Rs.4000/- and the petitioner is governed by the above said G.Os' and not governed by the Government Service Rules, since he is working in Village Panchayat.

In view of the above facts and circumstances of the case, this writ petition is disposed of with a direction to the respondents to pay the salary to the petitioner in terms of above said G.Os' as on date, if not already paid. No costs. Consequently, connected miscellaneous petition is closed.

10-02-2026

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

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M.DHANDAPANI, J.

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