



WEB COPY

WP No. 10935 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10935 of 2026

A.Jegan
S/o.Late. Ayyappan
Ambayanvilai Veedu
Mathoorkonam, Arumanai Post
Kanyakumari District - 629 151.

..Petitioner

Vs

1. The State of Tamil Nadu
Rep by its Secretary
Social Welfare and Nutritious Meal
Programme Department,
Fort St.George, Chennai-600 009.
2. The Director
Department of Welfare of Differently Abled Persons
No.5, Kamarajar Salai, Lady Wellington Campus
Chennai - 600 005.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to forthwith regularize the service of the petitioner as Mobile Unit Driver by applying the Guideline issued in G.O.Ms.No.151 Social Welfare and Noon Meal Program Department dated 16.10.2008 and pass orders.

For Petitioner :

Mr.L.Chandrakumar

For Respondents:

Mr.T.Chandrasekaran
Special Government Pleader for R1 & R2



ORDER

The writ petition has been filed seeking a mandamus to the respondent to regularise the services of the petitioner forthwith as Mobile Unit Driver by applying the guidelines issued in G.O.Ms.No.151, Social Welfare and Noon Meal Program Department, dated 16.10.2008.

2. The petitioner is a physically challenged person with 40% locomotor disability, who being sponsored by the Employment Exchange, came to be appointed as Driver in the Mobile Unit of the respondent on 20.04.2015. He is now working in the Collectorate Campus, Nagercoil, Kanyakumari District. He has been initially paid a consolidated pay of Rs.8,000/- which has been enhanced annually. According to the petitioner, he had been favoured with all benefits by the respondents except for the benefit of regularisation. In this regard, he had submitted a representation on 05.06.2021 to bring him under the regular time scale of pay in terms of G.O.Ms.No.151, Social Welfare and Noon Meal Program Department dated 16.10.2008. In the said G.O., directives have been issued to the Head of the Departments to forward their proposals with respect to the employees who had discharged their duties for more than two years under the consolidated pay, so as to bring them under the regular time scale of pay. However, there was no response to the petitioner's representation dated 05.06.2021.



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3. Thereafter, on 11.11.2025, the petitioner had addressed a representation to the District Differently Abled Welfare Officer, Kanyakumari, who in turn had forwarded his proposal to the 2nd respondent to regularise the service of the petitioner and the same is pending without consideration. The petitioner would also submit that the 2nd respondent vide its proceedings dated 02.02.2026, had chosen to direct the District Welfare Officers to resort to filling up vacancies through outsourcing, which would defeat the legitimate expectation of the petitioner. Hence, the petitioner is before this Court.

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

5. Considering the facts and circumstances of the case, a mandamus is issued to the respondents to consider petitioner's representation in the light of G.O.Ms.No.151, Social Welfare and Noon Meal Program Department, dated 16.10.2008 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



WEB COPY

WP No. 10935 of 2



6. With the above directions, the writ petition is disposed of. No costs.

25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS

To:

1. The Secretary
State of Tamil Nadu
Social Welfare and Nutritious Meal Programme Department
Fort St.George, Chennai-600 009.
2. The Director
Department of Welfare of Differently Abled Persons
No.5, Kamarajar Salai, Lady Wellington Campus
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WEB COPY

WP No. 10935 of 2



P.T.ASHA, J.

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