



WEB COPY



W.P.No.12571 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM :

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.12571 of 2021
and WMP.No.13366 of 2021

1.M.Authilakshmi
2.M.Mayandi
3.G.Mariammal
4.K.Anjalai
5.J.Sivagami
6.E.Desingh
7.S.Vasantha
8.S.Vijaya

... Petitioner

vs

1.The State of Tamil Nadu Rep by its Secretary
Public Works Department
Fort St.George, Chennai – 600 009.

2.The Chief Secretary to Government
Personnel & Administrative Reforms (F) Department
Fort St.George, Chennai – 600 009.

3.The Chief Engineer (WRO) &
Chief Engineer (General)
Public Works Department
Chepauk, Chennai – 600 005.

4.The Executive Engineer
Public Works Department



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South Presidency Division
Chepauk, Chennai – 600 005.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the first respondent's order made in GO.Ms.No.74 P&AR (F) Department dated 27.06.2013 to an extent of Paragraph-6 therein is concerned and that of the order of the first respondent made in Lr.No.282/E2/Court case/EE/2017 dated 12.04.2017, to quash the same in so far as the petitioners are concerned and to consequently direct the respondents to regularize the services of the petitioners on completion of 10 years of services and to extend all benefits both service and monetary.

For Petitioner : M/s.Sneha
for Mr.L.Chandrakumar.
For Respondents : Mrs.V.Yamunadevi, Spl.GP

ORDER

Heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents and perused the records.

2.The petitioners by the present writ petition have assailed the action of the first respondent in passing the order in letter No.282/E2/Court Case/EE/2017 dated 12.04.2017 and to quash the same, with a consequential directions to the respondents to regularise the services of the petitioners on completion of 10 years



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of service and to extend all benefits both service and monetary.

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3. On behalf of the petitioners, it is contended that a Full Bench of this Court by its order dated 26.02.2024 in WP.No.23823 of 2023 had held that wherever appointment of Causal Labourer / NMR are made to any of the 86 categories of posts enumerated in the Tamil Nadu Basic Service, immaterial of the fact that whether such appointment is part time or full time, the employee would be entitled to the benefit of regularisation de hors GO.Ms.No.74 dated 27.06.20213.

4. On behalf of the petitioners it is contended that since, the petitioner's were appointed in PWD department as Sweepers and have been engaged for more than 10 years, their services are required to be regularised in view of the decision of the Full Bench of this Court.

5. On behalf of the petitioner, it is further contended that a coordinate bench of this Court by order dated 29.07.2024 in WP.No.15675 of 2021 taking note of the reference answered by the Full Bench of this Court in WP.No.23823 of 2023, while setting aside impugned proceedings therein had remitted the matter back to the respondents to consider the claim of the petitioners in the light of the



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decision rendered by the Full Bench as well as the other decisions rendered by various Division Benches.

6. It is further case of the petitioner that the Court had also permitted the petitioners therein to submit a representation to the first respondent within a period of four weeks from the date of receipt of a copy of this order and on submission of such representation by the petitioners therein, the respondents were directed to consider the claim for regularisation by duly taking into consideration the decision of the Full Bench of this Court as well as the other decision rendered by the various Division Bench of this Court and pass appropriate orders thereon as expeditiously as possible preferably within a period of three months from the date of submission of the representation.

7. The petitioners contended that since, they are also similarly placed like the petitioners in the aforesaid writ petition, the aforesaid decision would apply in all force to their case and the respondents be directed to act in accordance with the aforesaid order of this Court.

8. The learned Special Government Pleader appearing on behalf of the

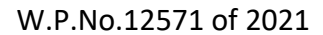


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respondents while not disputing the aforesaid submissions made on behalf of the petitioner, would however, submit that the respondent authorities are required to consider as to whether the services of the petitioner would fall within 86 categories of Tamil Nadu Basic Services, for their services to be regularised in terms of the decision of the Full Bench of this Court.

9. Having regard to the submission made above and taking note of the fact that, the Full Bench of this Court in WP.No.23823 of 2023 having held that if the appointment of any person to any of the 86 categories of posts enumerated in Tamil Nadu Basic Service irrespective of the fact that such appointment is full time or part time the employee would be entitled to the benefit of regularisation de hors GO.Ms.No.74 dated 27.06.2013. This Court is of the view that the respondents are required to consider the claims of the petitioners for regularisation of their service, if they are appointed to any of the 86 categories of posts enumerated in Tamil Nadu Basis Service.

10. Since, the respondents by the impugned proceedings did not take into consideration the aforesaid aspect, this Court is of the view that the impugned



11. Accordingly, the writ petition is allowed and the impugned proceedings passed by the 4th respondent dated 12.04.2017 is set aside and the matter is remitted back to the respondents to consider the claim of the petitioners in the light of the decision rendered by the Full Bench in WP.No.23823 of 2023 dated 26.02.2024 as well as the other decisions rendered by other Division Benches of this Court.

12. Since, a coordinate bench of this Court had in WP.No.15675 of 2021 had granted the liberty to the petitioners therein to submit a representation before the 1st respondent therein within a period of four weeks from the date of receipt of a copy of the order, this Court is of the view that the petitioners in the present writ petition can also be granted the same liberty, permitting them to submit a representation before the 1st respondent within a period of four weeks from the date of receipt of a copy of this order.

13. Further, the coordinate bench of this Court in the aforementioned



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writ petition having directed the respondents to consider the representation submitted by the petitioners therein within a period of three months, this Court is of the view that the aforesaid directions contained therein can be made applicable even to the petitioners in the present case.

14. Accordingly, on petitioners submitting a representation as permitted by this Court now, the respondents shall consider the claim of the petitioners for regularisation by duly taking into consideration the decision rendered by the Full Bench as well as the other decisions rendered by various Division Benches of this Court and pass appropriate orders thereon as expeditiously as possible preferably within a period of three months from the date of submission of the representation. The petitioners are also granted liberty to place before the respondents the decision of the Full Bench as well as other decisions rendered by the Division Bench which they intend to rely upon. No order as to costs. Consequently, connected miscellaneous petitions is closed.

22.01.2026

Speaking order / Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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T. VINOD KUMAR, J.

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