

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

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

WP No. 17758 of 2026

&

WMP No. 19087 of 2026

B.Govindaraj

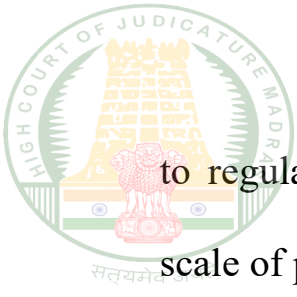
..Petitioner(s)

Vs

1. The State of Tamil Nadu Rep. by its
Principal Secretary to Government,
School Education Department, Secretariat,
Chennai-9.
2. The Director of Elementary Education
Nungambakkam, chennai - 600006.
3. The District Educational Officer
(Elementary Education)
Thiruvallur District, Thiruvallur.
4. The Block Educational Officer,
Poondi, Thiruvallur Taluk and District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India seeking writ of certiorarified mandamus to call for the entire records of the 3rd respondent vide his proceedings No.Na.Ka.No.1845/A1/2023 dated 21.08.2023 and quash the same in so far as the petitioner is concerned and thereby direct the respondents herein



to regularise his service as sweeper cum water attender in regular time scale of pay.

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For Petitioner(s): Mr. A.R.Suresh

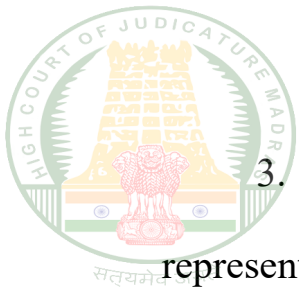
For Respondent(s): Mr. V.Prasad
Government Advocate

ORDER

This writ petition is filed for the following relief:

“To call for the entire records of the 3rd respondent vide his proceedings No.Na.Ka.No.1845/A1/2023 dated 21.08.2023 and quash the same in so far as the petitioner is concerned and thereby direct the respondents herein to regularise his service as sweeper cum water attender in regular time scale of pay.”

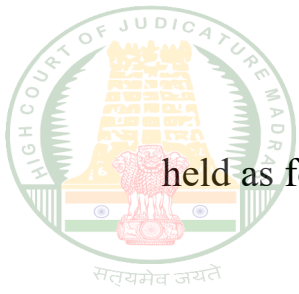
2. The petitioner was appointed as a Sweeper cum Water Attender in the office of the Deputy Inspector of Elementary Education, Poondi, on 01.09.1984. The petitioner has put in over four decades of blemishless service.



3. The petitioner would submit that he had been forwarding representations to the respondents to regularise his service. The records would show that on 16.04.1999, the 4th respondent had forwarded the petitioner's representation to the 3rd respondent. However, the petitioner's services have not been regularised. The benefit of GO.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010, has not been extended to the petitioner.

4. The 1st respondent had issued Government Order in GO.Ms.No.111, School Education Department dated 09.05.2012, in and by which the service of over 614 part time employees were regularised with effect from the date of completion of 10 years of service in their existing vacancy. In the earlier writ petition filed by the petitioner in WP.No.20238 of 2023, this Court by order dated 10.07.2023 had directed the petitioner to file a fresh representation and respondents were directed to consider the same.

5. The Full Bench of this Court in the judgement in ***M.Sivappa Vs. The State of Tamil Nadu and others - WP.No.23823 of 2023 dated 26.02.2024*** after considering the argument and various Judgements had



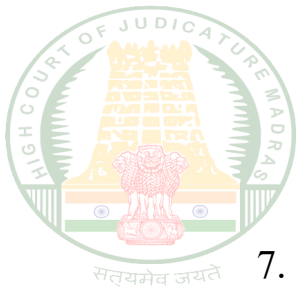
held as follows:

“38.In fine, we hold

(a)If it shown that the appointment is made to anyone 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 dehors G.O.Ms.No.74 dated 27.06.2013.

(b)If it is shown that the nature of employment is temporary and the requirement will cease to exist after a particular time, like those appointments that are made under various welfare schemes, it will then be open to the Government to engage temporary employees or part-time employees.”

6. The Full Bench made it clear that there was no distinction between part time and temporary employees and all those who have completed 10 years of service as on 28.02.2006 was entitled to be regularised. The petitioner had joined the service as early as in the year 1984 and had put in more than 10 years of service as on 28.02.2006.



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7. Therefore, the impugned order rejecting the petitioner's representation on the ground that the petitioner is a part time employee is without any basis and runs contrary to the decision of the Full Bench as well as GO.Ms.No.247, School Education (R1) Department, dated 03.10.2012.

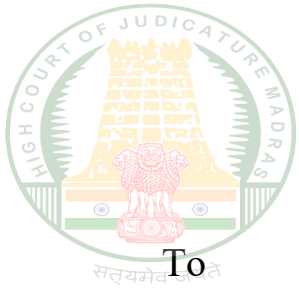
8. In view of the above, the impugned order is quashed and the respondents are directed to regularise the petitioner's service as Sweeper cum Water Attender in regular time scale of pay, within a period of 2 weeks from the date of receipt of a copy of this order.

9. This writ petition is allowed on the above lines. Consequently, the connected miscellaneous petition is closed. No costs.

01-06-2026

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

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To

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School Education Department, Secretariat, Chennai-9.
2. The Director of Elementary Education
Nungambakkam, chennai - 600006.
3. The District Educational Officer (Elementary Education)
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P.T.ASHA, J.

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