



W.P.No.18749 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.18749 of 2026

- 1.Vedathri Narasimman
- 2.D.Prabudoss
- 3.G.David
- 4.P.Yesu
- 5.E.Boopathy
- 6.Y.Lahsmaya

...Petitioners

Vs.

1.The Principal Secretary to Government,
Municipal Administration and Water Supplies
Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai-600 003.

...Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to regularize the services of the petitioners on completion of three years of service from the date of their original appointment in the light of the Division Bench judgment in



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W.A.No.1615 of 2018 dated 23.11.2023 confirmed by the Hon'ble Supreme Court on 27.09.2024 in SLP(C).No.22954 of 2024 and G.O(D)No.609, Municipal Administration and Water Supplies (MC 3) Department dated 17.10.2025 with all consequential service and monetary benefits, based on the petitioner's representation dated 24.01.2026, within a time frame fixed by this Court.

For Petitioner : M/s.G.Bala and Daisy
For Respondents : Mr.C.Prabakaran
Government Advocate for R1
Mr.S.Gopinathan for R2

ORDER

This Writ Petition has been filed to direct the respondents to regularize the services of the petitioners on completion of three years of service from the date of their original appointment in the light of the judgment of the Hon'ble Division Bench of this Court in W.A.No.1615 of 2018 dated 23.11.2023 confirmed by the Hon'ble Supreme Court on 27.09.2024 in SLP(C).No.22954 of 2024 and G.O(D)No.609, Municipal Administration and Water Supplies (MC 3) Department dated 17.10.2025 with all consequential service and monetary benefits, based on the petitioner's representation dated 24.01.2026, within a time frame fixed by this Court.



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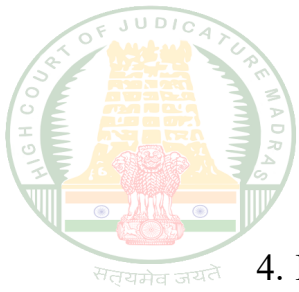
2. The petitioners had been originally appointed as Sanitary Workers in the erstwhile Ullagarampuzhithivakkam Town Panchayat, Kancheepuram District on 01.07.1993, 17.07.1989, 01.07.1993, 01.04.1989, 01.07.1989 and 05.11.1995 respectively and they were regularized and brought into regular time scale of pay with effect from 23.02.2006. Therefore, some of the petitioners had earlier filed W.P.No.13570 of 2011 to regularize their services and though it was allowed on 24.08.2011, their services were not regularized retrospectively. Subsequently, the fourth and sixth petitioners herein had filed W.P.Nos.8910 and 8911 of 2018 to count 50% of their past service from 1989 to 2004 and it was allowed on 12.04.2018. But the respondents had not taken any steps to implement the order of this Court. However, the Hon'ble Division Bench of this Court in W.A.No.1615 of 2018 on 23.11.2023 directed the respondents to bring the petitioners therein into regular time scale of pay on completion of three years from the date of their original appointment and the said judgment has been upheld by the Hon'ble Supreme Court of India in SLP(C).No.22954 of 2024 on 27.09.2024. On 27.11.2023, this Court had passed order in W.P.Nos.4924 and 7274 of 2020 and 19 of 2021 etc., allowing the claim of similarly situated persons and directed the respondents to regularize the services of the petitioners



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therein within a period of six weeks. On 17.10.2025, the first respondent has passed order in G.O.(D).No.609, Municipal Administration and Welfare (MC3) Department, implementing the orders of this Court and ordered regularization of the services of the petitioners therein from the date of completion of three years from the date of their original appointment. Thereafter, the petitioners have submitted representations before the respondents seeking to regularize their services on completion of three years from the date of their original appointment, but till date, no order has been passed. Hence, this Writ Petition.

3. Per contra, the learned counsel appearing for the second respondent submits that though the petitioners claim that they were appointed as Sanitary workers between 1993 to 1995 and their services were regularized in terms of G.O.Ms.No.84 (Municipal Administration and Water Supply Department, dated 21.05.1998) only on 23.02.2006, a representation has been made by the petitioners herein claiming benefits granted by this Court in respect of the similarly situated persons in the year 2026 (i.e.,) after a lapse of 20 years. Hence, he prayed for dismissal of this writ petition.



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4. Before discussing the case on hand, the issue of regularisation pre and post 2003 has been dealt with by the Hon'ble Full Bench of this Court in the case of the **Government of Tamil Nadu and others vs. R.Kaliyamoorthy reported in (2019 (6) CTC 705)**, wherein, the Hon'ble Full Bench held as follows:-

“45. In the light of the above, we answer the reference as follows:-

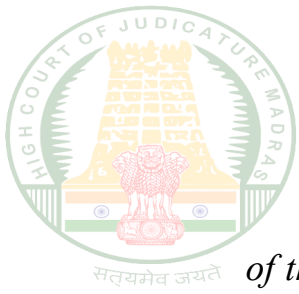
(i) Those who are freshly appointed on or after 01.04.2003 are not entitled to pension in view of W.A.No.158 of 2016 etc., batch proviso to Rule 2 of Tamil Nadu Pension Rules, 1978, inserted by G.O.Ms.No.259 dated 06.08.2003.

(ii) Those government servants/employees appointed prior to 01.04.2003 whether on temporary or permanent basis in terms of Rule 10(a)(i) of Tamil Nadu State and Subordinate Service Rules will be entitled to get pension as per the Tamil Nadu Pension Rules, 1978.

(iii) In case, a government employee/servant had also rendered service in non-provincialised service, or on consolidated pay or on honorarium or daily wage basis and if such services were regularised before 01.04.2003, half of such service rendered shall be counted for the purpose of conferment of pensionary benefits.

(iv) Those government servants who were appointed in the aforesaid four categories before the cut off date and later appointed under Rule 10(a)(i) of Tamil Nadu State and Subordinate Service Rules before 01.04.2003 and absorbed into regular service after 01.04.2003 will not be entitled to count half of W.A.No.158 of 2016 etc., batch, their past service for the purpose of determination of qualifying service for pension.

(v) Those government servants who were appointed in the aforesaid four categories before 01.04.2003 but were absorbed in regular service after 01.04.2003 will not be entitled to count half



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of their past service for the purpose of determination of qualifying service for pension”.

5. Admittedly, the petitioners were appointed as Sanitary workers between 1993 to 1995 and their services were regularized in terms of G.O.Ms.No.84 (Municipal Administration and Water Supply Department, dated 21.05.1998) only on 23.02.2006. Though the petitioner claims that they are entitled to be regularized within 3 years of completion of service, they have made representation claiming benefits granted by this Court in respect of the similarly situated persons only in the year 2026 (i.e.,) after a lapse of 20 years. The petitioners have not taken any steps to file a separate writ petition during the year 2006 itself, challenging the regularisation order on the ground that they are entitled for regularisation within a period of three years from the date of their original appointment. Further, the petitioners were initially appointed as Sanitary Workers on contractual basis without following due selection process and no appointment order was issued to them and their initial appointment itself was by way of backdoor entry. While that being so, the claim of the petitioners at this distant point of time is untenable. Hence, the prayer as sought for by the petitioner in the present writ petition cannot be granted.



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6. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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

To
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