



WEB COPY

WP No. 25697 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 25697 of 2024

and

WMP No.4757 of 2026

T.Ganesan

..Petitioner

Vs

1. The Government of Tamil Nadu,
Rep. by The Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai -600 009.
2. The Director of School Education,
Directorate of School Education,
D.P.I.Complex, College Road,
Nungambakkam, Chennai -600 008
3. The District Education Officer,
Ponneri, Tiruvallur District.
4. The Secretary,
Vijayanta Higher Secondary School,
HVF Estate, Avadi,
Chennai -600 054.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to regularize the services of the petitioner who worked as Games marker considering the service made in the 4th



respondent for about 30 years, as per G.O.Ms. No. 22 personnel and Administration Reforms(F) Department dated 28.02.2006 by regularizing his service in the Time Scale of Pay in the post of Office Assistant in accordance with the service conditions with effect from 01.01.2006 with all pensionary and monetary benefits with arrears to the Petitioner. Amended as Writ of Certiorarified Mandamus, to call for the records in his vide proceedings No.Na.Ka.No. 2017/Aa3/2015 dated 27.10.2015 passed by the 3rd respondent and quash the same and direct the respondents to regularise the services of the Petitioner who worked as Games Marker considering the service made in the 4th respondent for about 30 years, as per G.O.Ms.No.22 Personnel and Administration Reforms (F) Department dated 28.02.2006 by regularising his service in the Time Scale of Pay in the post of Office Assistant in accordance with the service conditions with effect from 01.01.2006 with all pensionary and monetary benefits with arrears to the petitioner.

(Prayer was amended as per order dated 14.03.2025 in WMP.4488/2025)

For Petitioner(s): Mr.Ilamvazhuthi, Senior Counsel
for Mr.R.R.Mohanraja

For Respondent(s): Mrs.Mythreye Chandru
Special Government Pleader for R1 to R3

ORDER

This petition has been filed challenging the impugned order dated 27.10.2015 passed by the 3rd respondent, seeking to quash the same and for a direction to the respondents to regularise the services of the petitioner, who worked as a Games Marker in the 4th respondent institution for about 30 years, in terms of G.O.Ms.No.22, Personnel and Administrative Reforms (F) Department, dated 28.02.2006, by granting him regularisation in the time scale



of pay in the post of Office Assistant, with effect from 01.01.2006, together with all pensionary and monetary benefits, including arrears.

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2.The case of the petitioner is that he was appointed as a Games Marker at Vijayanta Higher Secondary School, a Non-Minority Government Aided School in Avadi, in a sanctioned post on daily wages of Rs.150/- per month with effect from June 1992. He continued to work with utmost sincerity, to the complete satisfaction of his superiors, maintaining an unblemished service record until his retirement on 31.05.2021. After his retirement, the petitioner submitted a representation on 28.08.2010 to the 3rd respondent, seeking regularisation of his service in the cadre of Office Assistant under the time scale of pay, in terms of G.O.Ms.No.22 dated 28.02.2006, as referred to in the letter dated 23.11.2006. However, there was no proper response from the 1st respondent. Consequently, the petitioner filed W.P.No.18781 of 2015 before this Court, seeking a direction to the respondents to regularise his services as Sports Marker/Office Assistant in the 4th respondent school, in accordance with G.O.Ms.No.22 dated 28.02.2006, Personnel and Administrative Reforms (F) Department. The said Government Order provides for regularisation of daily wage employees working in Government Departments who had rendered 10 years of service as on 01.01.2006 in sanctioned posts, by appointing them in the time scale of pay of the respective posts, with effect from 01.01.2006, together



with attendant benefits and arrears. By order dated 29.04.2015, this Court directed the respondents to consider and pass appropriate orders on the petitioner's representation dated 28.08.2010, on merits and in accordance with law. Pursuant thereto, the impugned order was passed, stating that one Vijayan had been appointed as Office Assistant in the 4th respondent school, that the petitioner was not appointed by the 4th respondent school, and that no proposal had been forwarded by the official respondents. On that basis, the petitioner's request was rejected. Challenging the said impugned order, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that the petitioner was appointed as a Games Marker pursuant to the request made by the Headmaster of the 4th respondent school on 01.04.1993, and his name was subsequently forwarded to the District Employment Office on 30.12.1998. Thereafter, the petitioner was appointed in the 4th respondent school, which also issued a certificate confirming his employment therein. The mere fact that the proposal was not forwarded by the 4th respondent school to the Educational Authorities cannot deprive the petitioner of his rightful benefits. Accordingly, the learned counsel prayed for appropriate orders.



4.Per contra, contra, the learned Special Government Pleader appearing for respondents 1 to 3 would that, though the impugned order states that in the non-teaching vacant post one Vijayan was appointed and the petitioner was not appointed, the law requires that the 4th respondent school has the right to appoint candidates to non-teaching posts in sanctioned vacancies. After such appointment, it is incumbent upon the 4th respondent school to forward the proposal to the Government for its approval. In the present case, however, no such proposal was forwarded to the Government for approval of the appointment. Without such approval, the petitioner cannot claim any benefit from the Government. Accordingly, the learned Special Government Pleader prayed for dismissal of the writ petition.

5.In view of the submissions made and upon consideration of the materials placed on record, this Court finds that the petitioner's appointment was never forwarded to the Government for approval. In the absence of such approval, the petitioner cannot seek regularisation or claim attendant benefits under G.O.Ms.No.22 dated 28.02.2006.



6. Accordingly, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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M.DHANDAPANI, J.

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