



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

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

**WP No. 26476 of 2025
AND
WMP NO. 29786 OF 2025**

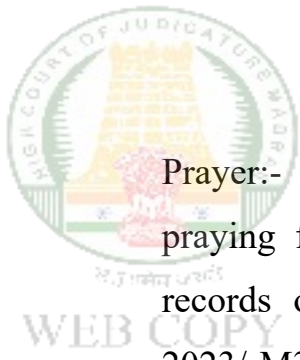
M.Sivappa

..Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep By Its Principal Secretary, Rural
Development Department, Secretariat, Fort St.
George, Chennai-9.
2. The Director Of Rural Development
Panagal Building, Saidapet, Chennai-15.
3. The District Collector
Krishnagiri District.
4. The Personal Assistant (development)
To The District Collector, Krishnagiri District.
5. The Block Development Officer
Veppanapalli Panchayat Union, Krishnagiri
District.

..Respondent(s)



Prayer:- Writ petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus Calling for the records of the 3rd Respondent in Proceedings in se. Moo. Na. Ka.No.22135/2023/ M3 dated 10.03.2025 and quash the same to the limited extent that if does not grant the petitioner with monetary benefits from the date of regularization i.e. from 28.02.2001 and consequently direct the respondents to grant the petitioner with all monetary and service benefits from 28.02.2001 and not from 10.03.2025 and pass.

For Petitioner(s): Ms.Dakshyani Reddy, Senior Counsel for
Mr.C.Mahendran

For Respondent(s): Mr.R.U.Dinesh Raj Kumar , AGP for R1 to
R.5

ORDER

The petitioner seeks to challenge the proceedings of the 3rd respondent dated 10.03.2025 in so far as it does not grant the petitioner with monetary benefits from the date of regularization i.e. from 28.02.2001 and consequently direct the respondent to grant the petitioner with all monetary and service benefits from 28.02.2001 and not from 10.03.2025.

2. The short facts necessary for disposing of this Writ Petition are as follows:-



3. The petitioner was appointed as a Masalchi by the proceedings of the 5th respondent dated 01.03.1991 on a consolidated pay. Thereafter, steps were taken to regularize his services along with others consolidated pay employees working in the office of the 5th respondent. In this regard, the 4th respondent by proceedings dated 14.12.2006 had forwarded a proposal to the 3rd respondent with recommendation. On the very same day, the 3rd respondent had forwarded the proposal to the 2nd respondent.

4. It is the contention of the petitioner that in respect of one Mr.Chinnasamy whose name was also recommended in the proceedings dated 14.12.2006 had filed WP.No.28265 of 2017 before this Court seeking to regularise his services. This Writ Petition was allowed by order dated 26.04.2018 directing the respondents to regularise the services of Mr.Chinnasamy from the date of initial appointment. This was challenged by the respondent in WA.No.389 of 2019 which was dismissed by order dated 27.02.2019. Thereafter, the respondents had filed a Review Application No.252 of 2022 which was also dismissed on 27.02.2019.

5. While so, on 04.12.2020, pursuant to the orders passed by this Court in W.P. No. 33949 of 2013 (filed by the petitioner) dated 23.07.2020, the 3rd



respondent had passed the order rejecting the petitioner's claim by placing reliance on G.O. Ms. No. 74, Personnel and Administrative Reforms (F) Department, dated 27.06.2013, on the ground that the petitioner had been appointed as a part-time Masalchi and as per the conditions prescribed therein, was not entitled to regularization. Aggrieved by the same, the petitioner had filed WP.No.28323 of 2023. This Court by order dated 07.09.2023 referred the matter to the Hon'ble Full Bench for consideration of the issue as to whether the part-time employees are entitled to regularization as per G.O.MS. No. 74, Personnel and Administrative Reforms (F) Department, dated 27.06.2013 or whether the said Government Order will be applicable only prospectively. By order dated 25.02.2022, the Hon'ble Full Bench of this Court had answered the issue by stating 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 regularization dehors G.O.Ms.No.74 dated 27.06.2013.

6. The petitioner would submit that following the above said judgement, the learned Single Judge had allowed the Writ Petition (WP.No.23823 of 2023) filed by the petitioner on 19.07.2024 and directed the Respondents to regularize the service of the petitioner from the date of his initial appointment with all service benefits. Challenging this order, the respondents had filed WA.No.310



of 2025. By order dated 03.03.2025, the Hon'ble Bench of this Court had slightly modified the order of the learned Single Judge by stating that the benefit of regularisation will be available from the date on which the employee completes 10 years of service.

7. Thereafter, on 10.03.2025, the 3rd respondent had passed the impugned order stating that monetary benefits would be granted to the petitioner from the date of assuming office as a Night Watchman and not from the completion of 10 years of service from the initial appointment i.e., 28.02.2001. Challenging the same, the petitioner is before this Court.

8. Heard the learned counsel on either side and perused the records.

9. The Division Bench of this Court in WA.No. 825 of 2025 had observed as follows:-

“8. Hence, we find that the appellant would be entitled to the benefits of G.O.22 dated 28.02.2006. The Writ Appeal is therefore allowed, the respondents will regularize the services of the appellant from the date on which she completed 10 years of service on the temporary basis i.e. with effect from 01.04.2018. It is needless to state that she would also be entitled to all monetary benefits from the date of her regularization, which shall be computed



and paid within a period of 12 weeks from the date of receipt of a copy of this order. There shall be no order as to costs.”

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10. The above-said judgment of the Division Bench passed in W.A. No.825 of 2025 has been confirmed by the Hon’ble Supreme Court in SLP (C) No. 15692 of 2025.

11. Therefore, in the light of the above, this Writ Petition is allowed. The impugned order passed by the 3rd respondent dated 10.03.2025 is set aside and the respondents are directed to grant the petitioner all monetary and service benefits with effect from 28.02.2001. No costs. Consequently, the connected Miscellaneous Petition is closed.

17-03-2026

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

SHR



To

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P.T.ASHA J.

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