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W.P. Nos.28791 & 28792 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM:

THE HON'BLE MR. JUSTICE **M. DHANDAPANI**

W.P. Nos.28791 & 28792 of 2024 and
WMP.Nos.3384 & 3385 of 2026

WP.No.28791 of 2024

K.Kumar

... Petitioner

Vs

1.THE PRINCIPAL SECRETARY,
GOVERNMENT OF TAMILNADU,
TRANSPORT DEPARTMENT, ST.GEORGE FORT, CHENNAI -9

2.THE MANAGING DIRECTOR,
TRANSPORT CORPORATION, PALLAVAN HOUSE,
CHENNAI 600 002

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records in respect of regularization order Noku. No.26029 / PaPi (Pe) 4 / M.T.C / 2023 Ma.Po. Ka Dated 19.10.2023 issued by the 2nd respondent and to direct the 2nd respondent to issue the fresh regularization of service order from July 2017 like similarly joined employees

For petitioner : Mr.P.Arunkumar



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W.P. Nos.28791 & 28792 of 2024

For Respondents

For R1 : Mr.P.Balathandayutham,
Special Government Pleader

For R2 : Mr.R.Balaji,
Standing Counsel

WP.No.28792 of 2024

C.Vijay

... Petitioner

Vs

1.THE PRINCIPAL SECRETARY,
GOVERNMENT OF TAMILNADU,
TRANSPORT DEPARTMENT, ST.GEORGE FORT, CHENNAI -9

2.THE MANAGING DIRECTOR,
TNSTC Metro TRANSPORT CORPORATION, PALLAVAN HOUSE,
CHENNAI 600 002

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For petitioner : Mr.P.Arunkumar

For Respondents

For R1 : Mr.P.Balathandayutham,
Special Government Pleader

For R2 : Mr.R.Balaji,
Standing Counsel



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COMMON ORDER

These Writ Petitions have been filed praying to quash the regularization order Noku. No.26029 / PaPi (Pe) 4 / M.T.C / 2023 Ma.Po. Ka Dated 19.10.2023 issued by the 2nd respondent and to direct the 2nd respondent to issue the fresh regularization of service order from July 2017 like similarly joined employees

2. The petitioners joined as Driver on daily wage basis temporarily on 21.05.2016 and 01.08.2016 respectively. There was a continuous strike and the petitioners were wrongly implicated in crime No.935 of 2017 on the file of T-7, Tank Factory Police Station, Avadi as if the petitioners participated in the strike against the Transport Corporation and pelted stones thereby damaging transport corporation bus. After conducting investigation, charge sheet was filed in SC.No.72 of 2019, in which the petitioners were arrayed as A1 and A2 and the same ended in acquittal on 07.03.2023. Thereafter the petitioners' services were regularised vide order dated 19.10.2023 from 18.10.2023. Challenging the same, the present writ petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that



though the petitioners were appointed as daily wage drivers on 21.05.2016 and 01.08.2016 respectively, their services were regularised only in the year 2023 after lapse of seven years, which is unsustainable one. The earlier services rendered by the petitioners have to be taken into consideration and they are entitled for regularisation from the date of initial appointment and therefore, regularising only in the year 2023 after lapse of six years is not sustainable one. Accordingly, he prayed for allowing the writ petitions.

4. Per contra, the learned Standing Counsel appearing for the second respondent would submit that admittedly as per the affidavit filed by the petitioners itself would reveal that the petitioners were appointed as daily rated drivers on 21.05.2016 and 01.08.2016 respectively and the continuous employment from 2016 to 2023, is not proved before this Court. Further, while they were daily rated employees there were several warning letters and they were not in continuous engagement from 2016 to 2023. Further, the petitioners also involved in a criminal case for having damaged the transport corporation bus. After acquittal, the petitioners were appointed on time scale of pay on monthly basis in the year 2023.

5. Therefore, the disputed question of facts cannot be entertained



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under Article 226 of the Constitution of India and the petitioners have to approach the competent court for appropriate relief. Accordingly, both the writ petitions are dismissed. However, liberty is granted to the petitioners to work out their remedy in the manner known to law. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

04.02.2026

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

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M. DHANDAPANI, J.

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