



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 22-01-2026**

CORAM

**THE HON'BLE MR JUSTICE R. SURESH KUMAR**

**AND**

**THE HON'BLE MR.JUSTICE SHAMIM AHMED**

**WMP Nos. 40600 of 2025 AND WMP No.11685 of 2022  
in W.P NO. 12233 OF 2022**

**W.M.P.No.40600 of 2025**

Differently Abled Persons Welfare Officers and  
Employees Association, Rep.by its Secretary,  
Regd.No.8/2025, No.161/1, Dr.MGR Nagar, 5<sup>th</sup> Cross,  
Salem 636 008

..Petitioner

Vs

1. Professional Social Workers Association  
(PWSA),Rep. by its President S.Cyril Alexander,  
C/o.MACT, 39/8, Starling Apartment, Akbarabad,  
2nd Street, Kodambakkam, Chennai-600 024.
2. Commissionerate For The Welfare Of Differently  
Abled, No.5, Kamarajar Salai, Lady Wellington  
College Campus, Chennai-600 005.
3. The Government Of Tamilnadu, Rep. by its Chief  
Secretary, Fort St. George, Chennai-600 009.
4. The State Of Tamilnadu rep. by its Secretary,  
Welfare of the Differently Abled Persons, Fort St.  
George, Chennai-600 009.

..Respondents

**WMP No. 11685 of 2022**

Professional Social workers Association(PWSA),Rep.  
by its President S.Cyril Alexander, C/o.MACT, 39/8,



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

Starling Apartment, Akbarabad, 2nd Street,  
Kodambakkam, Chennai-600 024.

..Petitioner

Vs

1. Commissionerate for the welfare of Differently Abled No.5, Kamarajar Salai, Lady Wellington College Campus, Chennai-600 005.
2. The Government of Tamil Nadu Rep. by its Chief Secretary, Fort St. George, Chennai-600 009.
3. The State of Tamil Nadu, rep. by its Secretary, Welfare of the Differently Abled Persons, Fort St. George, Chennai-600 009.
4. Differently Abled Persons Welfare Officers and Employees Association, Rep. by its Secretary, Regd.No.8/2025, No.161/1, Dr.MGR Nagar, 5<sup>th</sup> Cross, Salem 636 008  
(R4 impleaded vide order dated 11.09.2025 made in WMP No.38462 of 2025 in WP No.12233 of 2022 by RSKJ & HCJ)

..Respondents

**Prayer in WMP No. 40600 of 2025 :** To vacate interim order of status quo dated 06.05.2022 passed in the above W.P.No. 12233/2022 and consequently by an order dated 13.06.2022 to have the said order to continue until further orders.

**Prayer in WMP No. 11685 of 2022 :** To grant stay of the impugned GO (Ms) No.3 Welfare of Differently Abled persons department dated 14.02.2022 issued by the 3rd respondent pending disposal of the writ petition.

### **WMP No. 40600 of 2025**

For Petitioner :

Mr.C.P.Sivamohan

For Respondents :

Mr.Md.Nazarulla for Mr.R.Prabakaran – for R1  
Mr.P.Kumaresan, Additional Advocate General  
assisted by Mr.Yashwanth, Additional Government  
Pleader – for RR 2 to 4



WEB COPY



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

**WMP No. 11685 of 2022**

For Petitioner : Mr.Md.Nazarulla  
for Mr.R.Prabakaran

For Respondents : Mr.P.Kumaresan, Additional Advocate General  
assisted by Mr.Yashwanth, Additional Government  
Pleader – for R1 to R3  
Mr.C.P.Sivamohan – for R4

**Order**  
**(Order of the Court was made by R.Suresh Kumar J.)**

The prayer sought for in W.M.P.No.40600 of 2025 is to vacate interim order of status quo dated 06.05.2022 passed in the above W.P.No. 12233/2022 and consequently by an order dated 13.06.2022 to have the said order to continue until further orders.

2. The prayer sought for in W.M.P.No.11685 of 2022 is to grant stay of the impugned GO (Ms) No.3 Welfare of Differently Abled persons department dated 14.02.2022 issued by the 3rd respondent pending disposal of the writ petition.

3. Heard the respective counsels appearing for the parties. The State Government, through the Department for Welfare of the Differently Abled Persons issued a Government Order in G.O.Ms.No.3 dated 14.02.2022 by which a Rule has been notified, whereby the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and the Special Rules applicable to the holders of the permanent posts in



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

the Tamil Nadu General Subordinate Service shall apply to the holders of the temporary posts under the Directorate of Welfare of the Differently Abled Persons Department. As per the said Rule, there are ten type of posts under the constitution of the Department. Rule 3 speaks about the method of appointment, where, we are concerned about the following two posts.

- District Differently Abled Welfare Officer (DDAWO)
- Junior Rehabilitation Officer (JRO)

4. Insofar as the first post is concerned, it is only by way of promotion from the post of JRO and insofar as the post of JRO is concerned, it is by way of direct recruitment as well as promotion at the ratio of 1:4. Insofar as the direct recruitment for the post of JRO is concerned, the qualification prescribed was that, one must possess PG degree in Psychology or PG degree in Social Work or Sociology and experience part is concerned, not less than two years of experience in interpretation of psychological tests or placement of persons with disabilities.

5. Likewise, for the post of JRO to be filled up by promotion, since there are seven such feeder categories, the promotion shall be in the ratio of 1:3:3:1:1:3:3 respectively. Insofar as this promotion is concerned, the qualification has been mentioned as that, one must possess experience of five years as Vocational Guidance Officer(VGO), Audiologist-cum-Speech Therapist, Orthotic Technician,



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

Communication Disorder Professional, Audiometrician, Multipurpose Rehabilitation Aide and Skilled Assistant Grade-I. Therefore, insofar as the promotional category is concerned, for the post of JRO, among the seven feeder categories as mentioned above, promotions are to be made at the ratio indicated herein above, which has been specified in the Rule itself.

6. In this context, it is the grievance of the writ petitioner association, who is the first respondent in the vacate stay petition that, they are unemployed youth having the qualification of PG degree in Social Work and therefore, they are opposing the present Rule, whereby, for the purpose of promotion to the posts of JRO and District Differently Disabled Officer, apart from the experience and other required qualification, there must be compulsory educational qualification of Post Graduation degree in Social Work, without which no such promotion can be made to fill up the post of JRO as well as Differently Abled Welfare Officer. This is the sum and substance of the challenge that has been made by the petitioner association against the import of the Rule.

7. We, after hearing the learned counsel for the parties including the learned Additional Advocate General for the State, is of the considered view that, since the members of the writ petitioner association are admittedly outside the purview of employment as they are only third parties, they are no way affected with regard to



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

the promotion to be made amongst the in service candidates in the Department for the above said posts.

8. If at all the members of the writ petitioner association are willing to participate in the selection process to be selected for the post of District Differently Abled Welfare Officer or Junior Rehabilitation Officer, they can very well compete with the open market candidates whenever such notification is issued by the recruiting agency calling for applications from the eligible candidates and they can compete with others to get selected for direct recruitment to the post of JRO, for which the qualification has already been prescribed under the impugned Rule as Postgraduate Degree in Psychology or Social Work and Sociology.

9. Therefore, the members of the writ petitioner association neither are the affected party nor having any locus to challenge the Rule especially in the context of the promotional avenues provided under the Rules for the feeder category employees to be promoted to the post of Junior Rehabilitation Officer and District Differently Abled Welfare Officer.

10. Hence, the interim order of status quo granted earlier by order dated 06.05.2022 which was extended until further orders by order dated 30.06.2022 is liable to be vacated. Accordingly, the interim order of status quo is vacated and



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

W.M.P.No.40600 of 2025 is ordered. Consequently, W.M.P.No.11685 of 2022 (stay petition), in which the status quo order was granted and extended further, stands dismissed.

11. Now the official respondents are free to make the promotions for the eligible candidates as per the impugned Rule and it is also open to call for applications for fresh appointment by way of direct recruitment, if they are advised to do so.

Post the writ petition along with W.P.No.10955 of 2022 in the usual course for hearing.

**(R.S.K.,J.) (S.S.A.,J.)**  
**22-01-2026**

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

KST



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

To

WEB COPY

1. The Secretary, Differently Abled Persons Welfare Officers and Employees Association, Regd.No.8/2025, No.161/1, Dr.MGR Nagar, 5<sup>th</sup> Cross, Salem 636 008.
2. Commissionerate for the welfare of Differently Abled No.5, Kamarajar Salai, Lady Wellington College Campus, Chennai-600 005.
3. The Chief Secretary to Government of Tamil Nadu Fort St. George, Chennai-600 009.
4. The Secretary to Government Department of Welfare of the Differently Abled Persons, Fort St. George, Chennai-600 009.
5. The Secretary Differently Abled Persons Welfare Officers and Employees Association, Regd.No.8/2025, No.161/1, Dr.MGR Nagar, 5<sup>th</sup> Cross, Salem 636 008



WEB COPY



WMP Nos. 40600 of 2025 and 11685 of 2022  
in W.P.No.12233 of 2022

**R.SURESH KUMAR J.  
AND  
SHAMIM AHMED J.**

**KST**

**WMP Nos. 40600 of 2025 & 11685  
of 2022 in W.P.No.12233 of 2022**

**22-01-2026**

---

Page 9 of 9