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W.P.No.1678 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1678 of 2026

R.Ravi

... Petitioner

Vs.

- 1 The Director General,
Highways Department,
Guindy,
Chennai – 600 025.
- 2 The Chief Engineer (H),
Construction and Maintenance,
Guindy,
Chennai – 600 025.
- 3 The Superintending Engineer (H)
Construction and Maintenance,
Trichy Road,
Coimbatore – 641 018.
- 4 The Superintending Engineer (H),
Construction and Maintenance,
College Road,
Tirupur – 641 687.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent in his Letter No.657/2020/A3 dated 16.07.2025 and



W.P.No.1678 of 2026

quash the same and consequently direct the respondents 1, 2 and 3 to release the pending retirement benefits to the petitioner without insisting upon the production of original documents.

For Petitioner : M/s.A.Mazar

For Respondents : Mr.M.Suresh Kumar
Additional Advocate General
Assisted by
Mr.S.Balamurugan
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent in his Letter No.657/2020/A3 dated 16.07.2025 and quash the same and consequently direct the respondents 1, 2 and 3 to release the pending retirement benefits to the petitioner without insisting upon the production of original documents.

2.The learned counsel appearing for the petitioner submitted that the petitioner's Father V.Ramasamy worked as a First Grade Mechanic in the Highways Department and he died on 12.03.1983 in harness leaving behind the petitioner and other legal heirs. Immediately after his demise, the petitioner's family suffered a lot,

2/10



W.P.No.1678 of 2026

thereby, the Superintending Engineer, Coimbatore vide proceedings dated 15.06.1984 sent letter to the Divisional Engineer (H) (in-charge), Rural Works, Erode for collecting the necessary documents for employment of the petitioner on the basis of compassionate grounds. Thereafter Divisional Engineer (H) (in-charge), Rural Works, Erode sent reply letter along with the petitioner's original School Transfer Certificate, S.S.L.C. Certificate, Legal Heir Ship Certificate and Death Certificate of his Father along with all other documents to the Superintending Engineer (H), Coimbatore on 13.08.1984.

3.The learned counsel appearing for the petitioner further submitted that thereafter, the Superintending Engineer (H), Coimbatore vide proceedings dated 05.12.1985 appointed the petitioner as Record Clerk on compassionate grounds and the petitioner joined the said post at Rural Roads, Denkanikottai Section – 2 by 16.12.1985. Thereafter the Divisional Engineer (H), Rural Roads, Dharmapuri sent a letter along with the petitioner's documents to the Superintending Engineer (H), Coimbatore for regularization of the petitioner's appointment by 16.02.1987 and the Superintending Engineer (H) forwarded the same to the Chief Engineer (H),



W.P.No.1678 of 2026

Construction and Maintenance, Chennai for regularization of the petitioner's appointment by 26.02.1987.

4.The learned counsel appearing for the petitioner further submitted that though the petitioner has submitted all the necessary original documents, his service was not regularized and he retired from service on 31.05.2024 without any retirement benefits due to non-regularization of his appointment. Hence, the petitioner made representation to the respondents seeking to release his retirement benefits and since there was no response, filed W.P.No.1791 of 2025 and pursuant to the order of this Court dated 24.01.2025 made in the said writ petition, the impugned order was passed by the third respondent.

5.The learned counsel appearing for the petitioner further submitted that the petitioner entered the service as 10 a(i) appointee on compassionate grounds and without any break in service, he was in continuous service for nearly four decades. Immediately after appointment, it is the duty cast upon the respondents to regularize the service of the petitioner. Infact upon satisfaction of the entire records only petitioner was appointed as Record Clerk and later blaming the



W.P.No.1678 of 2026

petitioner for non production of record is not sustainable one. The learned counsel further submitted that this Court on 22.01.2026 issued direction to the third respondent to produce the relevant records including the service register of the petitioner and further submitted in the service register of the petitioner, his educational qualification certificates are very much available, even then, the petitioner's service was not regularized, which is not sustainable one.

6.The learned Additional Advocate General appearing for the respondents submitted that from the available records, the petitioner was appointed on temporary basis on compassionate grounds by invoking Rule 10 a(i) of the Tamil Nadu State Subordinate Services Rules and thereafter a proposal was given for ratification of the petitioner's appointment to the Superintending Engineer by enclosing the certificates of the petitioner and the Superintending Engineer sent the said proposal to the Chief Engineer. On considering the said proposal, the Chief Engineer issued a memo dated 08.01.1991 refusing to forward the request for ratification to the Government and the same was communicated to the petitioner with an advise to get poverty certificate from the revenue officials and based on the reply



W.P.No.1678 of 2026

given by the petitioner, the then Superintending Engineer resubmitted the proposal seeking for ratification and regularization of the petitioner's services to the Chief Engineer, however the petitioner did not furnish poverty certificate, thereby, his services were not regularized.

7. Heard the arguments advanced on either side and perused the materials available on record.

8. Admittedly, the petitioner's Father V. Ramasamy worked as a First Grade Mechanic in the Highways Department and he died on 12.03.1983 in harness leaving behind the petitioner and other legal heirs. After his demise, the Superintending Engineer, Coimbatore vide proceedings dated 15.06.1984 sent letter to the Divisional Engineer (H) (in-charge), Rural Works, Erode for collecting the necessary documents for employment of the petitioner on the basis of compassionate grounds. Thereafter Divisional Engineer (H) (in-charge), Rural Works, Erode sent reply letter along with the petitioner's original School Transfer Certificate, S.S.L.C. Certificate, Legal Heir Ship Certificate and Death Certificate of his Father along



W.P.No.1678 of 2026

with all other documents to the Superintending Engineer (H), Coimbatore on 13.08.1984. Thereafter, the Superintending Engineer (H), Coimbatore vide proceedings dated 05.12.1985 appointed the petitioner as Record Clerk on compassionate grounds and the petitioner joined the said post at Rural Roads, Denkanikottai Section – 2 by 16.12.1985.

9.It is equally un-disputed fact that the petitioner's services were not regularized and he retired from service on 31.05.2024 without any retirement benefits due to non-regularization of his appointment. Infact without any break in service, the petitioner was in continuous service for nearly four decades and the same was not disputed by the respondents either in the counter or in the impugned order. The only ground on which the petitioner's services were not regularized is that the petitioner did not furnish poverty certificate. The petitioner claim that he produced poverty certificate, however, the respondents denied the same, if it is so, the respondent ought to have relieved the petitioner at the relevant point of time. Having allowed to work till the petitioner retired from service, the impugned order is not sustainable one.



W.P.No.1678 of 2026

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10. Pursuant to the direction issued by this Court on 22.01.2026, third respondent appeared before this Court today (04.02.2026) along with the relevant records including the service register of the petitioner. The further appearance of the third respondent is dispensed with.

11. Perusal of the service register of the petitioner reveal that the educational qualification sought to be recovered in the impugned order is very much available in the service register maintained by the third respondent. Perusal of entire records reveal that the then Divisional Engineer forwarded the original SSLC Book, Transfer Certificate, Community Certificate, Conduct Certificate and service record to the Superintending Engineer for regularization of the petitioner's services. Hence, there is no legal impediment for the respondent to regularize the services of the petitioner and to settle his retirement benefits.

12. The writ petition is allowed. The letter of the third respondent dated 16.07.2025 is set aside. The respondents are directed to regularize the services of the petitioner from the date of



W.P.No.1678 of 2026

initial appointment and settle the entire retirement benefits to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

04.02.2026

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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Chennai – 600 025.
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Chennai – 600 025.
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WEB COPY



W.P.No.1678 of 2026

M.DHANDAPANI,J.
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W.P.No.1678 of 2026

04.02.2026

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