



WP(MD), No.8104 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.02.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.8104 of 2023
and WMP(MD)Nos.7472, 18431 and 18238 of 2023

K.Thangaraj

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
St.George Fort,
Chennai.

2. The Commissioner of School Education,
O/o. Commissioner of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai.

3. The Joint Director (Personnel),
O/o. Joint Director (Personnel),
DPI Campus,
Chennai.

4. The Chief Educational Officer,
Dindigul District,
Dindigul.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the respondents



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to declare that the petitioner has completed the probation in the cadre of Junior Assistant by way of relaxing the Rules as was granted in respect of similarly placed persons by the Government of Tamil Nadu vide G.O. (ID) No. 210 School Education (ப.க.4(2))Department dated 17.06.2019 and G.O.(1D)No.124 School Education (ப.க.4(2))Department dated 15.09.2020 and consequently confer all other consequential service and monetary benefits including the yearly increment and conferment of selection grade along with its accrued arrears thereof within the time that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates
For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner was initially appointed as an Office Assistant on 27.08.1994 and thereafter, he was promoted as Record Clerk. Subsequently, he was promoted as Lab Assistant on 01.12.2010. In the category of Lab Assistant, his service was regularized in the year 2012 and he had successfully completed his probation period. Thereafter, he has been transferred and posted as Junior Assistant on 03.07.2015. In the cadre of Junior Assistant, his service was regularized with effect from 12.11.2016. However, in the cadre of Junior Assistant, his probation



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period was not declared. Therefore, the petitioner, under the impression that he may be referred to the post of Lab Assistant, has approached this Court seeking a writ of mandamus, by referring to G.O.(ID) No. 210 School Education (ப.க.4(2))Department dated 17.06.2019 and G.O. (1D)No.124 School Education (ப.க.4(2))Department dated 15.09.2020.

2. It is not in dispute that the post of Junior Assistant and Lab Assistant are under equal pay. This issue has also been decided by a Division Bench of this Court in W.A.(MD)No.1801 of 2025, etc. (batch), dated 13.08.2025 wherein, the Division Bench of this Court has passed an order as under:

“9. Admittedly, the respondents who were promoted from the post of Lab Assistant to the post of Junior Assistant/Typist were recruited with a clear pathway for promotion under Rule 3(g) of Tamil Nadu Ministerial Service Rules. The sudden denial of promotion based on equal pay scale for both the posts of Lab Assistant and Junior Assistant/Typist, vide G.O.Ms.No.63, Finance Department, dated 26.02.2011 violates their legitimate expectation of career progression. Once a promotional channel is recognized and acted upon, it cannot be



arbitrarily reverted by violating the principles of fairness. Moreover, the intent of Rule 3(g) is to provide career advancement to categories with no other promotional avenues.

10. Furthermore, grade pay or scale parity alone is not a decisive factor for determining eligibility under Rule 3(g). The promotional stagnation and functional status of Lab Assistants remain inferior to Junior Assistants. Several Lab Assistants have been promoted and regularized under Rule 3(g) earlier. The Government's reversal of its own earlier policy is arbitrary and discriminatory. Therefore, changing the rules midway, would violate Article 14 of the Constitution of India.

11. Moreover, it is pertinent to note that Lab Assistants have no other promotional ladder apart from Rule 3(g). Denying the respondents with promotion based on a technical ground of pay parity would lead to perpetual stagnation, which is against constitutional and service jurisprudence. The Writ Court has rightly observed that a dead-end service is demotivating and contrary to administrative efficiency. The Hon'ble Supreme Court in Civil Appeal No.2439 of 1982 in the case of **Raghunath Prasad Singh v. Secretary, Home Dept.**, held that “*promotions cannot be denied without due reason. Reasonable promotional opportunities*



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should be availed in every wing of public service. That generates efficiency in service and fosters the appropriate attitude to grow for achieving excellence in service. In the absence of promotional prospects, the service is bound to degenerate and stagnation kills the desire to serve properly”.

3. The learned Additional Government Pleader has also clarified that the order passed by the Division Bench of this Court in W.A. (MD)No.1801 of 2025, etc. (batch), dated 13.08.2025, has not been challenged and the same has been implemented.

4. In view of the same, this writ petition is allowed with a direction to the respondents to declare the probation of the petitioner, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

12.02.2026

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.



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B.PUGALENDHI, J.

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