

W.P.(MD)Nos.8873 and 8874 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved on: 02.04.2026

Pronounced on: 02.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.8873 and 8874 of 2026

and

W.P.(MD)Nos.7158 and 7162 of 2026

W.P.(MD)No.8873 of 2026:

A.Kathirvel

... Petitioner

vs.

1.The Secretary to Government,
Animal Husbandry,
Dairying and Fisheries Department,
Secretariat, Chennai – 600 009

2.The Commissioner,
Milk Production and Dairy Development,
Nandanam, Chennai – 600 034

3.The General Manager,
Thanjavur District Cooperative,
Milk Producers Union Ltd,
Thanjavur – 613 006

4.The Deputy Registrar (Dairying)
Dairy Development Department,
Old Collector's office,
Court Road, Thanjavur – 613 007

...Respondents

PRAYER IN W.P.(MD)No.8873 of 2026: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling



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for the records pertaining to the impugned order in Letter (Ms) No.6/MP2-1/2026 dated 05.01.2026 on the file of Respondent No.1 and quash the same as illegal. Consequently, direct the respondents to regularize the service of the petitioner on par with the regularization of the similarly placed persons in G.O.(D) No.145, Animal Husbandry, Dairying and Fisheries (MP II), department dated 03.03.2025 and G.O.(2D) No.138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007 and to grant all consequential monetary and retirement benefits to the petitioner within the time stipulated by this court.

W.P.(MD)No.8874 of 2026:

A.William Charles

... Petitioner

vs.

1.The Secretary to Government,
Animal Husbandry,
Dairying and Fisheries Department,
Secretariat, Chennai – 600 009

2.The Commissioner,
Milk Production and Dairy Development,
Nandanam, Chennai – 600 034

3.The General Manager,
Thanjavur District Cooperative,
Milk Producers Union Ltd,
Thanjavur – 613 006

4.The Deputy Registrar (Dairying)
Dairy Development Department,
Old Collector's office,
Court Road, Thanjavur – 613 007

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PRAYER IN W.P.(MD)No.8874 of 2026: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling



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for the records pertaining to the impugned order in Letter (Ms) No.7/MP2-1/2026 dated 05.01.2026 on the file of Respondent No.1 and quash the same as illegal. Consequently, direct the respondents to regularize the service of the petitioner on par with the regularization of the similarly placed persons in G.O.(D) No.145, Animal Husbandry, Dairying and Fisheries (MP II), department dated 03.03.2025 and G.O.(2D) No.138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007 and to grant all consequential monetary and retirement benefits to the petitioner within the time stipulated by this court.

In both cases:

For Petitioner : Mr.T.Aswin Raja Simman

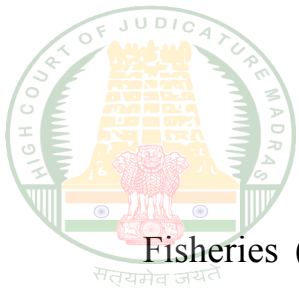
For R1, R2 and R4: Mr.V.Om Prakash
Government Advocate

For R3 : Mr.M.Thirunavukkarasu

COMMON ORDER

Both the writ petitioners are similarly placed persons and are seeking similar prayer, hence both the writ petitions are taken together and passed a common order.

2.(i) The Writ Petition in W.P.(MD)No.8873 of 2026 has been filed for issuance of Writ of Certiorarified Mandamus to quash the impugned order dated 05.01.2026 passed in Letter (Ms) No.6/MP2-1/2026 by the 1st respondent and direct to regularize the service of the petitioner on par with the regularization of the similarly placed persons in G.O.(D) No.145, Animal Husbandry, Dairying and



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Fisheries (MP II), department dated 03.03.2025 and G.O.(2D) No.138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007 and to grant all consequential monetary and retirement benefits to the petitioner.

2.(ii) The Writ Petition in W.P.(MD)No.8874 of 2026 has been filed for the issuance of Writ of Certiorarified Mandamus to quash the impugned order dated 05.01.2026 passed in Letter (Ms) No.7/MP2-1/2026 by the 1st Respondent and to direct the respondents to regularize the service of the petitioner on par with the regularization of the similarly placed persons in G.O.(D) No.145, Animal Husbandry, Dairying and Fisheries (MP II), department dated 03.03.2025 and G.O.(2D) No.138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007 and to grant all consequential monetary and retirement benefits to the petitioner.

3.(i). The case of the writ petitioner A.Kathirvel, the petitioner in W.P. (MD)No.8873/2026 is that he belongs to Kallar Backward Community and had completed his schooling in May 1980, then B.Com. through correspondence in Madurai Kamaraj University in July 1988. He was appointed as Casual Employee in Thanjavur District Co-operative Milk Producers Union Ltd. (TDCMPU Ltd.) on 25.08.1988. Thereafter he had passed the Diploma in Cooperative Management



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(D.Com.,) in March 1998. He had discharged his duties to the utmost satisfaction of his superiors and have rendered about 34 years of dedicated service without any blemish. He was retired from service on attaining superannuation on 31.07.2022.

3.(ii) The case of the writ petitioner, Mr.A.William Charles, the petitioner in W.P(MD) No.8874/2026 belonged to the backward community and he had failed in his 10th standard. He was appointed as Casual Employee in Thanjavur District Co-operative Milk Producers Union Ltd. (TDCMPU Ltd.) on 25.11.1992, and has rendered about 28 years of dedicated service without any blemish. He was retired from service on attaining the age of superannuation on 30.04.2020.

3.(iii). The other facts are that considering the age, qualification, vacancy position and on completion of 480 days in continuous two calendar years as required under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status) Act, 1981 and the provisions of the Tamil Nadu Co-operative Societies Act, the then Managing Director, TDCMPU Ltd., has regularized the petitioners' service with effect from 02.01.1996, based on the decision of Personnel Committee, dated 09.10.1995, but the regularization was subject to the approval of the 2nd respondent viz., the Commissioner, Milk Production and Diary



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Development. Thereafter, the petitioners were given the time scale of pay and other attendant benefits, like encashment of Earned Leave, Bonus, Ex-gratia, Family Benefit Fund, Contribution to EPF, ESI etc. The petitioners were also declared to have satisfactorily completed the probation period successfully and given increments in furtherance to their regularization. Thereafter then Managing Director, had sent a proposal dated 22.09.1999, to the 2nd Respondent to ratify the order of regularization in favour of certain temporary employees, including the petitioners. In pursuance of the said proposal, the 2nd respondent in his letter Na.Ka.No.18601/N3-1/98, dated 03.05.2001, sought the 1st respondent to issue Government Order, ratifying the order of regularization issued in favour of 15 temporary employees. In the said letter, the 2nd respondent has stated that they are all working as Mazdoor from the inception of the TDCMP Union Ltd.

3.(iv). The 2nd respondent had mistakenly shown **Mr.A.Kathirvel's** age as 34 years. His date of birth being 26.07.1962, he was 26 years as on 25.08.1988, at the time of joining TDCMPU Ltd, hence age relaxation is not necessary to the petitioner. The Petitioner Mr.A.William Charles have converted into Christianity. He had changed his name from “M. Kamaraj S/o. Thiru R. Muthu alias R. Arulanandhasamy” into “A.William Charles” and the same was notified in the Tamil Nadu Government Gazette dated 01.12.2003. Consequently, the then



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Managing Director in his proceedings Na.Ka.No.3879/Admn./2005 dated 18.09.2006, directed the office to change his name as “William Charles” in all official records.

3.(v). The 2nd respondent had sent a 2nd proposal on 24.09.2007 to the 1st respondent for regularizing the service of 20 casual employees, by relaxing the relevant rules in favour of them, including those 15 employees, for whom already proposal for regularization was sent along with Form-1 thereby giving details of cadre strength, the number of casual labourers found appointed irregularly and the number of employees fulfilling the conditions for regularization were mentioned. However, in Annexure-IV(c), the date of appointment of the petitioner Mr.A.Kathirvel as Casual Laborer has been mistakenly shown as 01.10.1993, instead of 25.08.1988. Consequently, relaxation in respect of age is also required. Likewise in Annexure – IV(c), it has been mentioned that the age relaxation for the petitioner Mr.A.William Charles is also required.

3.(vi). In the meanwhile, the Government have passed G.O.(2D) No. 138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007, regularizing the service of only 10 casual employees, by relaxing the requirement of appointment through employment exchange and have not regularized the

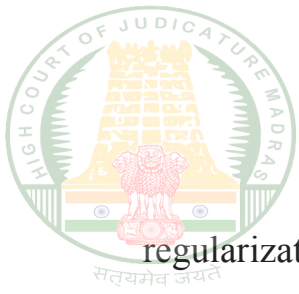


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service of the remaining casual employees, including the petitioners in the said

Government Order, mentioning that more than one relaxation is involved. The 2nd respondent by proceedings dated 13.09.2007, has directed the then Managing Director to cancel the sanction of increment and other allowances and to recover the increments given to the 15 employees. The then Managing Director, by an order dated 17.09.2007, ordered to recover the increments already paid to the petitioners and others, which has been challenged by them in W.P.(MD)Nos. 8838 and 9113 of 2007 and the said writ petitions were dismissed vide common order dated 13.09.2010. Writ appeals filed as against the said common order in W.A. (MD)Nos. 620 of 2010 and 411 of 2011 were also dismissed by a common Judgment dated 04.12.2015.

3.(vii). The 2nd Respondent, by communication in Rc.No. 6180/N1/2012 dated 12.11.2013, addressed to all the General Managers of the District Cooperative Milk Producers' Unions, revised the service conditions of 168 casual labourers, including the petitioners. In the said communication, it was stipulated that a time scale of pay would be sanctioned to those casual employees whose services could not be regularized, subject to the conditions that they shall not claim parity with regular employees, shall not be entitled to any higher salary or other service benefits, and that the said order would not confer any right of



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regularization or legal status. It was further clarified that they would continue to be treated as 'irregular employees' and would be liable to termination at any time, if circumstances so warranted. Pursuant to the said communication, the 3rd respondent, by proceedings in Na.Ka.No.1533/Admn./2011 dated 25.11.2013, placed eight employees, including the petitioners, on a time scale of pay of Rs. 3840–8000 + 1040, with effect from 11.11.2013.

3.(viii). The 3rd respondent, by his proceedings in Ref. Rc.No.521/Admn/2016 dated 10.06.2016, once again submitted a proposal to the 2nd respondent seeking regularization of certain employees, including the petitioners, wherein it was stated that the maximum age limit for appointment to the basic service is 35 years for candidates belonging to the Backward Class (B.C.). Since the petitioners and certain other employees were below 35 years of age at the time of their initial entry into service, no relaxation under Rule 149(3) of the Tamil Nadu Cooperative Societies Rules, 1988 was required. The 3rd respondent therefore requested the 2nd respondent to take necessary action for regularization of the services of eight employees, including the petitioners, with effect from 12.03.2001. In Annexure-III to the said letter dated 10.06.2016, the 3rd respondent has correctly stated that, in respect of the petitioners, only one relaxation is involved, namely, that their recruitment was not made through the Employment Exchange and that no



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relaxation is required with regard to age, educational qualifications or completion of 480 days of service within a continuous period of two years as on 11.03.2001.

The Petitioner Mr.A.Kathirvel's date of joining the service has again been wrongly shown as 01.10.1993, instead of 25.08.1988 in Annexure III to the said letter. Both the petitioners age was below 35 years at the time of joining the service. The Registrar of Co-operative Housing Societies, in his circular Na.Ka.2217/99/E4, dated 06.04.1999, has informed that while making recruitment in Co-operative Housing Societies, 35 years is the maximum age limit for SC, ST, BC, MBC & Denotified communities. Therefore, the question of relaxation of age does not arise.

3.(ix). The proposal sent by the 3rd respondent was forwarded by the 2nd respondent in his Rc.No.11676/2017/N2, dated 18.12.2017 to the 1st respondent, requesting to issue necessary Government orders in this regard. The Government, without considering the detailed proposal sent by the 3rd respondent have simply passed a non-speaking order dated 24.04.2018 stating that the proposal to regularize 8 employees whose names were omitted in G.O.2(D) No.138, Animal Husbandry, Dairying and Fisheries Department dated 28.09.2007 is not feasible for compliance. The petitioners have been submitting periodical representations to the respondent seeking regularization of their services by relaxing the requirement of appointment exclusively through the Employment Exchange, as was done in

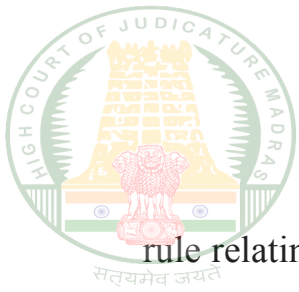


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the case of ten casual employees pursuant to G.O. (2D) No. 138 dated 28.09.2007.

The petitioners have also specifically stated that in their case no relaxation with respect to age is required.

3.(x). In respect of 31 similarly placed casual labourers in the Madurai District Co-operative Milk Producers' Union, based on the proposals forwarded by the Director of Milk Production and Dairy Development in Letter No. 19411/2018/N2 dated 12.06.2018 and 09.07.2019, the 1st respondent, vide G.O. (2D) No. 15, Animal Husbandry, Dairying & Fisheries (MP. II) Department dated 18.07.2019, regularized the services of two employees who had completed 480 working days prior to 12.03.2001, notionally with effect from 12.03.2001. The services of the remaining 29 employees were also regularized from the respective dates on which they completed 480 working days. Such regularization was effected by exempting Rule 149 of the Tamil Nadu Co-operative Societies Rules, 1988, in exercise of the powers conferred under Clause (a) of Section 170 of the Tamil Nadu Co-operative Societies Act, 1983. In the said G.O. dated 18.07.2019, in respect of two employees by name (i) E. Manickam and (ii) P. Mahendran, who have not possessed the required age qualification at the time of recruitment, Rule 149(1) of the Tamil Nadu Co-operative Societies Rules, 1988, had been relaxed in their favour. Therefore, even if the Government comes to the conclusion that the



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rule relating to maximum age limit requires to be relaxed in respect of petitioners, the Government have to extend the same benefit and there should be no discrimination in this respect.

3.(xi). The 3rd respondent in his proceedings Na.Ka.No.1533/Admn./2011 dated 30.08.2019 has extended the benefit of 7th pay commission to 8 casual employees including the petitioners. The 4th respondent has sent a letter Na.Ka.No.611/2018/A dated 27.01.2020 to the 2nd respondent recommending the regularization of the service of the above said 8 casual employees including the petitioners herein as they have been omitted to be regularized as per the G.O.(2D) No.138 dated 28.09.2007 by mistake. But there was no response either from the 2nd respondent or from the 1st respondent. Since this petitioner have attained the age of superannuation, the 3rd respondent by way of his proceedings Na.Ka.No. 2109/Admn./2020 dated 30.04.2020 permitted him to retire from service on the afternoon of 30.04.2020. Similarly placed persons, like salesmen / packers in various Cooperative Societies, Marketing Societies and Cooperative Wholesale stores, have filed W.P.Nos.21440 of 2012 etc. batch of cases before the Principal Bench of this Hon'ble Court, wherein by a common order dated 19.02.2021 the Court had directed to confer regularization for all persons. Even though the Petitioners' name were not included in G.O.(2D) No. 138, Animal Husbandry,



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Dairying and Fisheries (MP.II) Department, dated 28.09.2007, the 3rd respondent has subsequently sent a proposal on 10.06.2016, to the 2nd respondent stating that no age relaxation is required in the petitioners' case, but the same was not properly considered by the 1st respondent. Hence the petitioner A.Kathirvel's has filed a writ petition in W.P.(MD)No.15855 of 2022 and vide order dated 21.07.2022 the 1st respondent was directed to consider the representation and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of the order. In the meanwhile, he had attained the age of superannuation on 31.07.2022. In view of the pendency of charge memo proceedings, he was permitted to retire from service with effect from the afternoon of 31.07.2022, however liberty was granted to pursuing the proceedings in Na.Ka.No.3609/Admn./2022, dated 02.08.2023 of the 3rd respondent.

3.(xii) The 3rd respondent in his proceedings Na.Ka.No. 3609/Admn/2022, dated 24.11.2023, has ordered to release the gratuity payable to the petitioner Mr.A.Kathirvel on his retirement. However, the 1st respondent has not passed any order regularizing his service, pursuant to the direction of the Court in W.P.(MD)No.15855 of 2022, dated 21.07.2022. After getting the gratuity, pursuant to the proceedings of the 3rd respondent, dated 24.11.2023, the petitioner has submitted a representation dated 05.09.2024 to the 2nd respondent and another

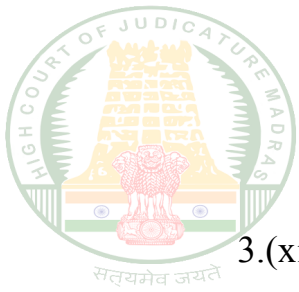


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representation dated 21.10.2024, to the 1st respondent seeking to regularize his service on par with the similarly placed employees as per the G.O.(2D) No. 138, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007 following the Orders passed in W.P.(MD)No.21440 of 2015, dated 19.02.2021 and to grant all consequential monetary and retirement benefits accrued on such regularization. The 3rd respondent has passed the order dated 29.05.2025 rejecting the regularization for the petitioner A.Kathivel. The 3rd respondent has passed the order dated 04.11.2024 for the petitioner A. Willam Charles. Hence W.P.(MD)No. 18924 of 2025 for Certiorarified Mandamus to quash the order dated 29.05.2025 and to regularize the service. On 11.07.2025, the above said writ petitions were ordered as follows:

"5. Considering the aforesaid submission made, the impugned order dated 29.05.2025 is set aside and the matter is remanded back to the third respondent for a fresh consideration. There shall be a direction to the third respondent to submit a fresh proposal to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the same on its own merits and pass appropriate orders in accordance with law, within a period of four months thereafter. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

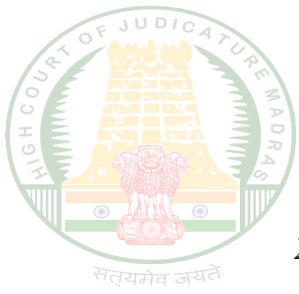
6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed."



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3.(xiii). On 11.08.2025 3rd respondent vide his proceedings in Letter No. 3828/Admin/2025 dated 11.08.2025 has requested the 1st respondent to regularize the service of the petitioner on par with employees regularized vide G.O.(2D) No. 138, Animal Husbandry, Dairy Fisheries (MP.II) Department, dated 28.09.2007. However, the Respondent No.1 vide Letter (Ms) No.6/MP2-1/2026 dated 05.01.2026 has rejected the request by relying on the judgment of Uma Rani. But the respondents have regularized the service of similarly placed person namely one, Mrs.S.Lalitha vide G.O.(D) No.145, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 03.03.2025. The said person was found place in S.No.8 wherein in the petitioners Mr.A.Kathirvel and Mr.A.William Charles name were at S.No.11 and 7 in the regularization proceedings in Na.Ka.No. 1860/No3-1/198 dated 03.05.2001. Another similarly placed person namely, K.Ellangovan has filed a writ petition before this Hon'ble Court in W.P. (MD)No. 4103 of 2014 seeking for regularization of his service with effect from 02.01.1996 and on 19.05.2022 the same was disposed of as follows:

"19.As far as the Writ Petition W.P. (MD) No.1290 of 2015 is concerned, the respondents have initiated to recruit fresh persons to the post of Junior Assistant. Since the petitioner is entitled to regularization as stated supra, the petitioner is entitled to be promoted as Junior Assistant and have other requisite qualifications. Therefore, the respondents are directed to consider the case of the petitioner for promotion as well and the notification is set aside.



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20. *With the above direction, the Writ Petitions in W.P. (MD) Nos.4103 of 2014 and 6860 of 2018 are allowed and W.P.(MD)No. 1290 of 2015 is disposed of. The respondents are directed to implement the order within a period of six weeks from the date of receipt of the copy of the order. The amendment petition in W.M.P.(MD)No.4350 of 2022 is allowed. No costs. Consequently, connected miscellaneous petitions are closed."*

3.(xiv). Aggrieved by the same, the respondents had preferred a Writ Appeal in W.A.(MD) No.401 of 2023 and on 21.07.2025 the same was dismissed, wherein it is held as under:

"3. When the matter was taken up for final disposal, the learned Standing Counsel submitted that the appellant would comply with the order of the learned single Judge. He seeks three more months from today (21.07.2025). The time period is extended accordingly.

4. Recording the stand of the appellant, this Writ Appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed."

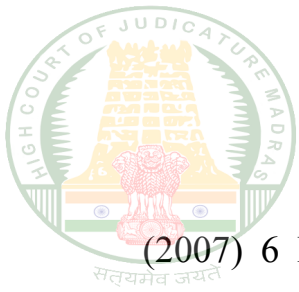
3.(xv). On 15.09.2025, another writ appeal in W.A.(MD) No.1297 of 2022 on the similar regularization issue of Mr. Ellangovan came up for hearing and dismissed citing the earlier order where the respondent department prayed for



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extension of time to comply with the earlier undertaking before this Hon'ble court that they would comply the same. But despite repeated Judgments, the 1st respondent has passed the impugned order mechanically without considering the petitioners' claim on parity with similarly placed persons. Hence the present writ petitions.

4. The respondents have filed detailed counter wherein it is stated that the writ petition is not maintainable since the same is passed based on the principles laid down in the judgment rendered in State of Karnataka Vs. Uma Devi reported in 2006 (4) SCC 1, wherein it is held that there is no fundamental right for those employed on daily wages or temporarily to claim right to be absorbed in service. Further held that right to equal treatment cannot be extended to claim parity with regularly employed as that would be treating un equal as equals. Also held the State cannot exercise jurisdiction under 162 to direct regularization of service if the appointment has been made in contravention of the statutory rules or constitutional mandate. The same is reiterated in Secretary to Government, School Education Department, Chennai Vs. R.Govindasamy & others reported in (2014) 4 SCC 769, A.Umarani Vs. Registrar, Cooperative Societies and others reported in (2004) 7 SCC 112 and the Full Bench decision in R. Radhakrishnan Vs. the Deputy Registrar of Cooperative Societies reported in



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(2007) 6 MLJ 455. The petitioner Kathirvel appointment is irregular and not

through the employment exchange, but temporarily regularized in the year 1996 which is subject to approval and such approval was not granted by 2nd and 1st respondent. Hence the allowances granted was irregular and illegal, which was ordered for recovery. When the recovery was challenged, the same was held legal, hence the petitioner is not entitled to regularization. The clerical error regarding petitioner Kathirvel's age will not give any vested right for regularization. The petitioner cannot rely on regularization granted in G.O.(2)No.138 dated 28.09.2007, since the petitioner need multiple relaxations, hence the contention of the petitioner that no age relaxation is necessary is immaterial when statutory requirements for valid recruitment were not met. Further the G.O.(2D)No.15 cannot be relied on since it was passed for different batches of cases. The petitioner cannot claim parity with orders passed in other District Unions and the petitioner cannot claim perpetuate an illegality or seek negative equality. Each cooperative union is a separate and independent legal entity and governed by its own administrative and financial framework. Various recommendations do not bind the government. The order passed in W.P.No.21440 of 2012 cannot be relied on since the respondents had preferred appeal and the same is pending. The petitioner had enjoyed time scale of pay during his tenure which was granted on humanitarian grounds. Having accepted the same, after retirement the present



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petition is filed belatedly and liable to be rejected. After retirement the petitioner was granted gratuity, hence the present petition is after thought. The other persons like Lalitha were granted regularization based on specific judicial directions and the same were treated as special cases, hence these orders are not binding precedents. The petitioners are not having any legal right to claim regularization, hence the respondents prayed to dismiss the writ petitions.

5. Heard Mr.T.Aswin Raja Simman, the Learned counsel appearing for petitioner, Mr.V.Om Prakash Learned Government Advocate appearing for the respondents 1, 2 and 4 and Mr.M.Thirunavukkarasu Learned Counsel for 3rd respondent and perused the records.

6. After hearing the rival submissions, this Court have given its anxious consideration. The impugned order only states that based on the judgment of Uma Rani, Uma Devi, Govindswamy and R.Radhakrishnan the petitioners are not entitled to regularization. This Court is of the considered opinion that the said reason is not sufficient to deny regularization and the impugned order is a non-speaking order and the same is liable to be set aside. Even in the counter the respondents have stated that the initial appointment was not through employment exchange and has admitted that the petitioners are having other qualifications to



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be appointed to the said post. Therefore, this Court is of the considered opinion that the petitioners are irregular and not illegal.

7. It is seen that the government had issued government order to regularize the Cooperative Societies employees after Justin's case judgment. Unfortunately, some of the employees was not regularized due to change in recruitment rules. Considering the same, in W.P.Nos.21440 of 2012 etc. batch of cases before the Principal Bench the Learned Single Judge had directed to regularize all the employees based on the Justin's case judgment and the same is extracted hereunder:

“16. This is an unfortunate case where luck has played its part. The Government took a decision to regularize the services of nearly 35,000 employees who were appointed in various Co-operative Societies by drawing a cut-off dated as 12.03.2001 and out of the same, the lucky 26,000 employees got their services regularized and the rest of the employees were facing the wrath of their destiny. They were eagerly expecting their services to be regularized like that of the similarly place employees but bad came in their. The process of regularization was undertaken even for the petitioners and due to various administrative delays, it did not reach its logical end. By then there were huge shift in law with regard to illegal and irregular appointments...

37. In view of the above discussion, all the Writ Petitions are disposed of with the following directions:



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a. All those Petitioners/Respondent Employee, as the case may be who have at the time of their appointment, fulfilled their educational qualification, who have been appointed in a sanctioned post within the cadre strength, and are in regular scale of pay, are declared to have satisfied the substantial/mandatory qualification prescribed under Rule 149(1) of the Rules;

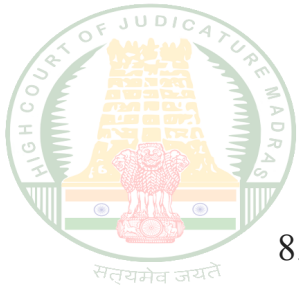
b. The appointments not being sponsored by the employment exchange, as prescribed under Rule 149(2) of the Rules, will only make the appointments irregular and not illegal;

c. All those Petitioners/Respondent Employee, as the case may be who have fulfilled the criteria stipulated in Clause (a), shall be regularised by the Respondents by issuing appropriate proceedings within a period of 8 weeks from the date of receipt of copy of this Order by taking the cut-off date as 12.03.2001;

d. The regularization of service of the Petitioners/Respondent Employee, as the case may be will not entail them with any additional monetary benefits except the consequential benefits which flows from such regularization; and

e. The benefit of regularization that is extended to the eligible Petitioners/Respondent Employee, as the case may be shall also be extended to all those employees who are similarly placed even though they have not knocked the doors of this Court.

Accordingly, the batch of writ petitions are disposed of. No costs. Consequently, all the connected miscellaneous petitions are closed.”



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8. The Learned Single Judge has directed to grant regularization to the persons who are covered under the Justin's case. Following the direction of the Learned Single Judge, the Government has also issued, Circular No.7 dated 09.09.2021. In the present case the petitioners were recruited without calling the names from the employment exchange, hence the petitioners are entitled to be considered based on the judgment rendered in W.P.Nos.21440 of 2012 etc. batch of cases and the Circular 7 of 2021. But the respondents submitted that they had preferred an appeal against the said judgment. This Court is of the considered opinion that the government had implemented by issuing Circular No.7 and has implemented to several persons, at this stage filing of appeal cannot be a ground to deny the benefits of the judgment rendered in W.P.No.21440 of 2012 and the consequently Circular No.7.

9. The respondents submitted that the petitioners need another concession i.e. age relaxation. But it is the specific case of the petitioners that they are below 35 years at the time of appointment and they come under Backward Class Community for which the maximum age limit for appointment to the basic service is 35 years. Therefore, this Court is of the considered opinion that if the petitioners are Backward Class community and was below 35 years at the time of appointment, then the petitioners would come within the purview of the age limit



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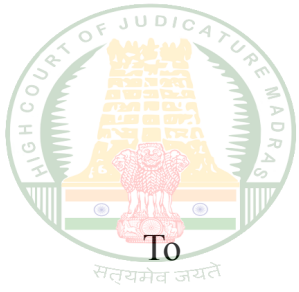
prescribed for Backward Class Community and hence the question of age relaxation does not arise in the case of the petitioners.

10. In the counter the respondents have not stated any other relaxations the petitioners are in need of. Therefore, this Court is inclined to direct the respondents to grant regularization.

11. Accordingly, the impugned orders are set aside and writ petitions are allowed with a consequently direction to the respondents to grant regularization to the petitioners. However, it is made clear that the regularization of service of the Petitioners will not entail them with any additional monetary benefits except the consequential benefits which flows from such regularization. The petitioners are not entitled for any interest for the monetary payment. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
Tmg

02.06.2026



W.P.(MD)Nos.8873 and 8874 of 2026

To

1.The Secretary to Government,
Animal Husbandry,
Dairying and Fisheries Department,
Secretariat, Chennai – 600 009

2.The Commissioner,
Milk Production and Dairy Development,
Nandanam, Chennai – 600 034

3.The Deputy Registrar (Dairying)
Dairy Development Department,
Old Collector's office,
Court Road, Thanjavur – 613 007



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W.P.(MD)Nos.8873 and 8874 of 2026

S.SRIMATHY, J

Tmg

Order made in
W.P.(MD)Nos.8873 and 8874 of 2026

02.06.2026