

WP(MD)Nos.29546 of 2024, etc., batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

RESERVED ON : 24.02.2026, 27.02.2026, 29.06.2026

DELIVERED ON : 23.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)Nos.29546 to 29549, 29943, 31354, 31357, 31430, 31431 of 2024;
782, 801, 1049, 1141, 1319, 1409, 5704, 5705, 36374 of 2025;
3214, 4738 of 2026

and

WMP(MD)No.24914, 24916, 24920 to 24925, 25225, 26249, 26250, 26255,
26257, 26316 to 26319 of 2024;
504, 505, 521, 523, 661, 665, 769, 959, 962, 996, 997, 28949, 28950 of 2025;
2647, 4038 of 2026

WP(MD)Nos.29546 to 29548 of 2024:-

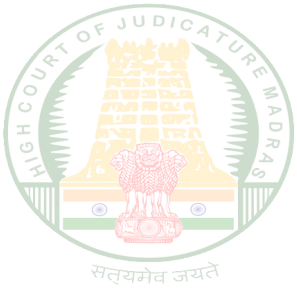
G.Premkumar : Petitioner in WP(MD).29546/24

S.Veilumuthu : Petitioner in WP(MD).29547/24

C.Santhanakumar : Petitioner in WP(MD).29548/24

Vs.

The Executive Officer,
Mukkudal Selection Grade Town Panchayat,
Tirunelveli. : Respondent in all WPs



WP(MD)Nos.29546 of 2024, etc., batch

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COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records of the respondent in Na.Ka.No.356/2024/A1, dated 29.11.2024 and quash the same.

WP(MD)No.29549 of 2024:-

A.Sivakumar

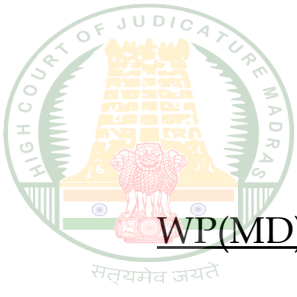
: Petitioner

Vs.

The Executive Officer,
Mukkudal Selection Grade Town Panchayat,
Tirunelveli.

: Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records of the respondent in Na.Ka.No.148/2015/A1 dated 29.11.2024 and quash the same.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.29943 of 2024:-

WEB.COM P.Thillai

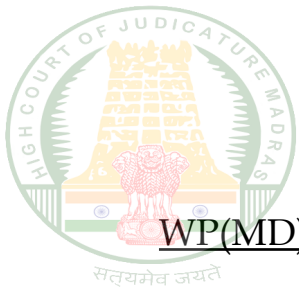
: Petitioner

Vs.

- 1.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.
- 3.The Executive Officer,
Achanpudur 1st Grade Town Panchayat,
Achanpudur,
Kadayanallur Taluk,
Tenkasi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.10/2015 dated 29.11.2024, quash the same and consequently, directing the respondents to reinstate the petitioner with continuity of service and full backwages.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.31354 of 2024:-

WEB COPY M.Krishnasamy

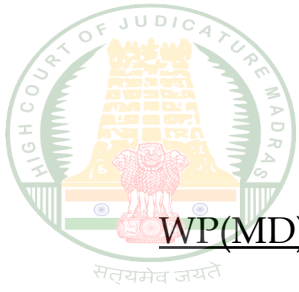
: Petitioner

Vs.

- 1.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.
- 3.The Executive Officer,
Pudur(S) 1st Grade Town Panchayat,
Pudur,
Tenkasi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.41/2006 dated 29.11.2024, quash the same and consequently, directing the respondents to reinstate the petitioner in the post of Sanitary Worker with continuity of service and full backwages.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.31357 of 2024:-

WEB COPY R.Samy

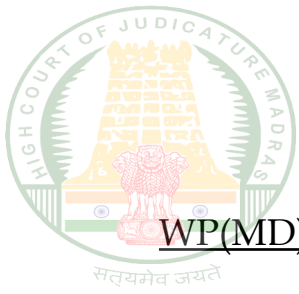
: Petitioner

Vs.

- 1.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.
- 3.The Executive Officer,
Pudur(S) 1st Grade Town Panchayat,
Pudur,
Tenkasi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.41/2006 dated 29.11.2024, quash the same and consequently, directing the respondents to reinstate the petitioner in the post of Sanitary Worker with continuity of service and full backwages.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.31430 of 2024:-

WEB COPY G.Suresh

: Petitioner

Vs.

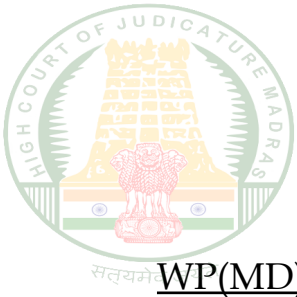
1.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.

3.The Executive Officer,
Vadakarai Kilpidagai Town Panchayat,
Vadakarai Kilpidagai,
Tenkasi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.388/2015 dated 29.11.2024, quash the same and consequently, directing the respondents to reinstate the petitioner in the post of Sanitary Worker with continuity of service and full backwages.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.31431 of 2024:-

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N.Jayakumar

: Petitioner

Vs.

1.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.

3.The Executive Officer,
Pudur (S) 1st Grade Town Panchayat,
Pudur,
Tenkasi District.

4.The Executive Officer,
Vadakku Valliyur Special Grade Town Panchayat,
Vadakku Valliyur,
Tirunelveli District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.41/2006 dated 29.11.2024, quash the same and



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consequently, directing the respondents to reinstate the petitioner in the post of Sanitary Worker with continuity of service and full backwages.

WP(MD)Nos.782, 801, 1319 of 2025:-

Sirajudeen	: Petitioner in WP(MD).782/25
S.Kamalanathan	: Petitioner in WP(MD).801/25
V.Sudalaimuthu	: Petitioner in WP(MD).1319/25

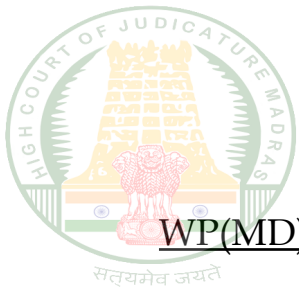
Vs.

1.The Assistant Director (Town Panchayat),
Tirunelveli,
Tirunelveli District.

2.The Executive Officer,
Manimutharu Special Grade Town Panchayat,
Manimutharu - 627 421,
Tirunelveli District.

: Respondents in all WPs

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned proceedings passed by the second respondent in Na.Ka.No.331/2015/A1 dated 29.11.2024 and quash the same.



WP(MD)Nos.29546 of 2024, etc., batch

WP(MD)No.1049 of 2025:-

WEB COPY A.Manikandan

: Petitioner

Vs.

1.The Assistant Director (Town Panchayat),
Tirunelveli,
Tirunelveli District.

2.The Executive Officer,
Veeravanallur Town Panchayat,
Veeravanallur,
Tirunelveli District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned proceedings passed by the second respondent in Na.Ka.No.123-1/2015/A1 dated 29.11.2024 and quash the same.

WP(MD)No.1141 of 2025:-

T.Saravanan

: Petitioner

Vs.

1.The Director,
Department of Municipal Administration & Water Supply,
Chepauk, Chennai – 600 005.



WP(MD)Nos.29546 of 2024, etc., batch

2.The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

3.The Commissioner,
Ambasamuthiram Municipality,
Tirunelveli District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned second charge memo in Na.Ka.No.196/2015/C1 dated 13.09.2024 and its enquiry report dated 15.10.2024 and the consequential show cause notice dated 29.11.2024 issued by the third respondent and quash the same.

WP(MD)No.1409 of 2025:-

A.Sudalaisekar

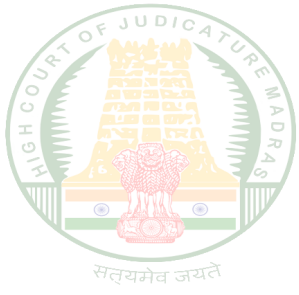
: Petitioner

Vs.

1.The Assistant Director (Town Panchayat),
Tirunelveli, Tirunelveli District.

2.The Executive Officer,
Veeravanallur Town Panchayat,
Veeravanallur,
Tirunelveli District.

: Respondents



WP(MD)Nos.29546 of 2024, etc., batch

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned proceedings passed by the second respondent in Na.Ka.No.123/2015/A1 dated 29.11.2024 and quash the same.

WP(MD)Nos.5704, 5705 of 2025:-

M.Shanmugasundari : Petitioner in WP(MD).5704/25

Velladurai : Petitioner in WP(MD).5705/25

Vs.

1.The Director / Commissioner,
Municipal Administration,
Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai - 28.

2.The Commissioner,
Puliyankudi Municipality,
Tirunelveli District.

: Respondents in both WPs

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for



WP(MD)Nos.29546 of 2024, etc., batch

the records relating to the impugned proceedings passed by the second respondent in Na.Ka.No.1398/2015/C1 dated 27.12.2024 and quash the same.

WP(MD)No.36374 of 2025:-

M.Sudalaikani

: Petitioner

Vs.

1.The Director of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Collector,
Collectorate,
then Tirunelveli District,
now Tenkasi District.

3.The Municipal Commissioner,
Kadayanallur Municipality,
then Tirunelveli District,
now Tenkasi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of termination passed by the



WP(MD)Nos.29546 of 2024, etc., batch

third respondent in Na.Ka.No.3244/2015/C1 dated 05.06.2017, the

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consequential order passed by the first respondent in Na.Ka.No. 18289/2017/K3-1 dated 12.07.2024, quash the same and consequently, directing the respondents to reinstate the petitioner in service with all attendant and monetary benefits as Junior Assistant in Kadayanallur Municipality, Tenkasi District.

WP(MD)No.3214 of 2026:-

C.Karpagavinayagam

: Petitioner

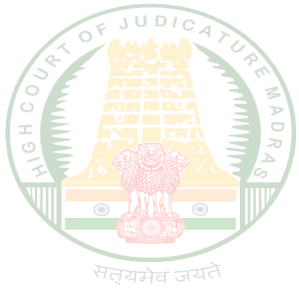
Vs.

1.The Director of Town Panchayat,
Kuralagam,
Chennai – 600 108.

2.The Assistant Director of Town Panchayat,
NGO Colony,
Tirunelveli.

3.Panagudi Special Grade Town Panchayat,
Rep. by the Executive Officer,
Panagudi,
Tirunelveli District.

: Respondents



WP(MD)Nos.29546 of 2024, etc., batch

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No. 509/2016 dated 29.11.2024 and quash the same.

WP(MD)No.4738 of 2026:-

U.Sorimuthu

: Petitioner

Vs.

- 1.The Regional Director of Town Panchayat,
Tirunelveli.
- 2.The Executive Officer,
Special Grade Town Panchayat,
Thisayanvilai,
Tirunelveli District.
- 3.The Executive Officer,
Selection Grade Town Panchayat,
Naranammalpuram,
Tirunelveli.
- 4.The District Employment Officer,
Employment Exchange,
Tirunelveli.



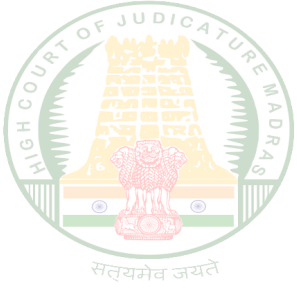
WP(MD)Nos.29546 of 2024, etc., batch

5. The Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat,
Chennai.

: Respondents

[R.5 *suo-motu* impleaded vide order dated 23.07.2026]

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings passed by the second respondent in Na.Ka.No.59-3/2016 dated 29.11.2024, quash the same and consequently, directing the respondents to reinstate the petitioner in service.



WP(MD)Nos.29546 of 2024, etc., batch

WEB Appearances:-

For Petitioner(s):-

WP(MD)Nos.29546 to 29549 of 2024

: Mr.V.Vijay Shankar

WP(MD)Nos.29943, 31354, 31357, 31430, 31431 of 2024

: Mr.R.Prem Narayanan

WP(MD)Nos.782, 801, 1049, 1319, 1409 of 2025

: Mr.G.Karthick
for M/s.Roy & Roy Associates

WP(MD)No.1141 of 2025

: Mr.D.Nallathambi

WP(MD)Nos.5704, 5705 of 2025

: Mr.S.Chellapandian

WP(MD)No.36374 of 2025

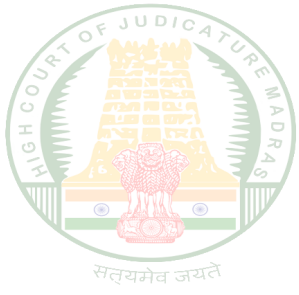
: Mr.M.Saravanakumar

WP(MD)No.3214 of 2026

: Mr.S.Palanivelayutham

WP(MD)No.4738 of 2026

: Mr.K.K.Udhayakumar



WP(MD)Nos.29546 of 2024, etc., batch

WEB.COM For Respondents:-

On 24.02.2026 & 27.02.2026:-

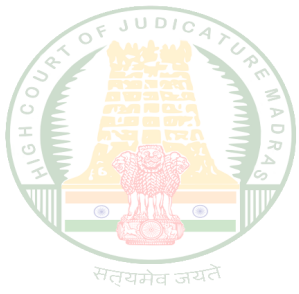
Mr.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for Government
in WP(MD)Nos.29546 to 29549, 29943,
31354, 31357, 31430, 31431 of 2024;
782, 801, 1049, 1319, 1409, 5704,
5705, 36374 of 2025; 3214 of 2026
and
Mr.C.Venkatesh Kumar,
Special Government Pleader
for Government in WP(MD)No.4738 of 2026

Mr.P.Srinivas for R.2 &
Mr.S.Packiamuthu for R.3 in WP(MD)No.1141 of 2025

Mr.K.P.Baduras Zaman,
Government Advocate for R.3 in WP(MD)No.3214 of 2026

On 29.06.2026:-

Mr.S.Sivasubramanian,
Counsel for State of TN (Civil Side)
for Government in all WPs



WP(MD)Nos.29546 of 2024, etc., batch

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COMMON ORDER

The petitioners were recruited as Sanitary Workers, Overhead Tank Operators, Overhead Tank Watchmen, Electricians and Junior Assistants on a temporary basis at various Town Panchayats and Municipalities in the Tirunelveli District from the year 2005 till 2015. Their recruitment was carried out by calling for candidates from the District Employment Exchange which has forwarded their names as physically disabled candidates under the priority quota.

2. One Dr.V.Chandrasekaran, a Civil Assistant Surgeon, has lodged a complaint on 25.05.2015 that he has noticed a fake National Disability Card purportedly issued by the Differently Abled Welfare Department based on his forged signature and seal of the hospital. On the basis of the same, an FIR was registered in Crime No.85 of 2015 by the Tirunelveli Medical College Hospital Police Station for the offences under Sections 466, 468, 471, 473, 474, 476, 420 and 120(b) IPC. While investigating the same, the Inspector of Police, Tirunelveli Medical College Hospital



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Police Station, sent a communication on 01.06.2015 informing the Assistant Director of Town Panchayats, Tirunelveli that several persons have obtained appointments, using fake disability certificates across all Town Panchayats and Municipalities in Tirunelveli District between the years 2005 and 2015. In response to the same, the Assistant Director of Town Panchayats, vide proceedings in Na.Ka.No.2120/2015/P2 dated 05.06.2015, consolidated the relevant service details and it was found that 103 individuals had been appointed under the priority category for physically disabled persons during the relevant period.

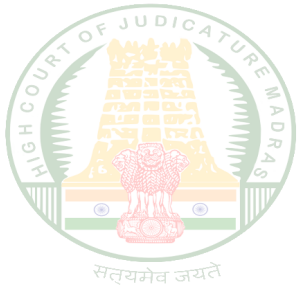
3.In light of the above allegations, a review meeting was convened by the District Collector, Tirunelveli on 27.08.2015 and a direction was issued to the Executive Officers of the respective Town Panchayats and Municipalities to refer all the candidates appointed under the priority quota for physically disabled persons to a medical board for verifying their disability. Thereafter, medical examination of the candidates was carried out and it was found that only 25 candidates were physically disabled out of the 103 individuals appointed under the priority quota



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for physically disabled persons across 28 Town Panchayats and Municipalities.

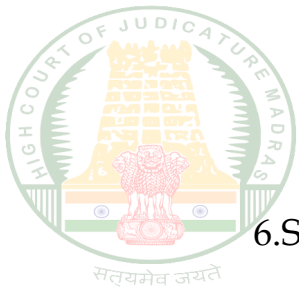
4.In the meantime, as per the proceedings of the Additional Director General of Police, CB-CID, Chennai dated 01.09.2015, the criminal case was transferred from the file of the Tirunelveli Medical College Hospital Police Station to CB-CID, Tirunelveli and it was renumbered as Crime No.3 of 2015 on 07.09.2015. During the investigation, it was found that multiple recruitments were made at various Town Panchayats and Municipalities in Tirunelveli on the basis of fake disability certificates and there was an organized fraud. It was also found that brokers and officials of the Town Panchayats and Municipalities had facilitated such appointments. Further, forensic comparison of the signatures of 22 Government Doctors with the forged disability certificates revealed that 13 Government Doctors had issued false medical certificates and assisted various persons in obtaining National Disability Identity card. At present, the investigating agency has identified a total of 187 Accused persons.



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5. Consequently, in the year 2016, the respondent Town Panchayats and Municipalities initiated disciplinary proceedings as against the petitioners that they had unlawfully secured appointments against posts reserved for the physically challenged priority category by furnishing fake disability certificates to the District Employment Exchange. The disciplinary proceedings was concluded holding that the petitioners were accommodated in priority posts, even though they were not physically disabled and that all the charges were proved as against them. Acting upon the findings of the enquiry officer, the disciplinary authority has passed final orders, terminating the petitioners from service. Some of the petitioners have preferred appeals before the Appellate Authority as against their termination orders which were also dismissed. As against the show cause notice, disciplinary proceedings, enquiry reports, consequent termination orders and the proceedings of the appellate authority, the instant writ petitions are filed by the respective petitioners.

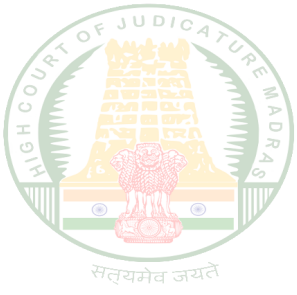


6. Since the issue involved in these writ petitions is common, they are taken up together and disposed by way of this common order

Contentions of the petitioners:

7. The case of the petitioners, as advanced by the respective learned Senior Counsel / Counsel is that the termination orders were passed in a mechanical manner and without considering the relevant materials. Their contentions are summarized as under:-

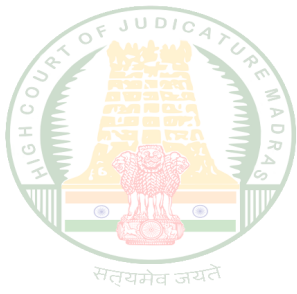
(i) It is the common stand of the petitioners that they were not appointed under the priority quota posts meant for the physically disabled persons. They have never made any misrepresentation or fraud during their selection process. The Town Panchayats and Municipalities addressed the Employment Exchange to sponsor candidates, without any explicit mention that they are for priority quota. Further, their interview call letters or appointment orders did not explicitly classify their selection as being made under the priority quota. Therefore, the respondents cannot turn around and claim that these posts were priority quota meant for the physically disabled persons.



WEB COP (ii) The petitioners were subjected to medical examination prior to their selection and were provided with medical fitness certificates. Further, they also attended interviews conducted by the officials of the Town Panchayats and Municipalities and no objections were raised by the selection committee at the time of their selection.

(iii) The explanations of the petitioners were not extracted in the enquiry report and considered in detail by the enquiry officer. Further, there was an inordinate and unexplained delay in issuing the charge memos and concluding the disciplinary proceedings. Therefore, the enquiry was conducted in an arbitrary manner and was violative of the principles of natural justice.

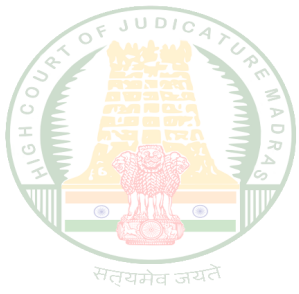
(iv) The Enquiry Officer did not examine any independent witnesses during the enquiry. Therefore, a fair enquiry was not conducted before passing the impugned orders.



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WEB COPY 8. Insofar as WP(MD)No.36374 of 2025 is concerned, challenging the order of termination, the petitioner has contended that he was appointed under the SC - Arunthathiyar category as per his appointment order and not under the priority quota for physically disabled persons. Further, he has contended that the impugned termination order was passed without conducting any medical examination on him.

9. Insofar as WP(MD)No.1141 of 2025 is concerned, challenging the enquiry report and the show cause notice, the petitioner has taken a stand that while initial medical examination on 16.03.2015 found that he had no disability, he was once again sent for medical examination on 07.09.2016. After this examination, the Joint Director of Welfare (in charge) has issued a certificate on 15.09.2016 that the petitioner has 40% permanent disability in the hand and wrist and that he may be included in the disability quota.



Common Contentions of Respondent Town Panchayats and Municipalities:

10.Sum and substance of the submissions made on the side of the respondents are as under:-

10.1The vacancies in question were specifically earmarked for appointment under the priority category and notifications were issued, as such, calling for candidates from the Employment Exchange. Therefore, the petitioners cannot contend that the posts were general category vacancies or that they would have been entitled to appointment irrespective of the priority status claimed by them.

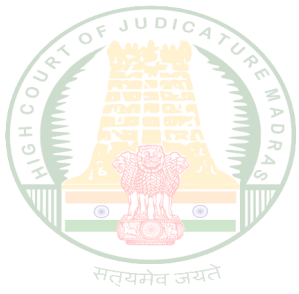
10.2.In order to secure the benefit of appointment under the priority category, the petitioners obtained bogus disability identity cards and disability certificates in connivance with certain officials and medical practitioners. Armed with such certificates, they approached the Employment Exchange and registered themselves as differently abled persons. Acting upon the disability certificates produced by the



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petitioners, the Employment Exchange sponsored their names for appointment under the priority category.

10.3.The verification conducted by the Assistant Director of Town Panchayats, vide proceedings in Na.Ka.No.2120/2015/P2 dated 05.06.2015, revealed that 103 individuals had been appointed under the priority category for disabled persons. The enquiry further disclosed that all these candidates, including the petitioners, had secured appointment on the strength of disability certificates forwarded through the Employment Exchange. Subsequently, all the candidates were subjected to examination by a duly constituted Medical Board. The Medical Board found that only 25 out of the 103 candidates appointed across 28 Town Panchayats were actually physically disabled. The petitioners were also examined by the Medical Board, which confirmed that they were not physically disabled. It was only thereafter that the impugned proceedings came to be initiated and the impugned orders of termination came to be passed.

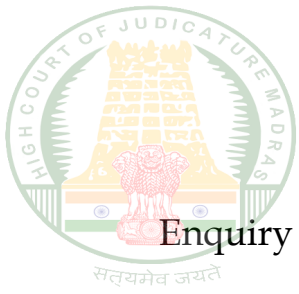


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10.4. Though liberty was granted to the petitioners to prefer statutory appeals under Rule 230 of the Tamil Nadu Urban Local Bodies Establishment Rules, 2023, many of them, without exhausting the alternative statutory remedy, have directly approached this Court by filing the present writ petitions.

10.5. With regard to the alleged delay in initiating and concluding the disciplinary proceedings, it was contended that the delay was occasioned on account of the medical examination of the petitioners and the pendency of the criminal investigation against them. The respondent Town Panchayats and Municipalities had initially awaited the outcome of the criminal proceedings. However, this Court, by orders dated 25.11.2024 and 05.12.2024 passed in WP(MD)No.19164 of 2024, directed the authorities to proceed with the departmental proceedings without waiting for the conclusion of the criminal prosecution. Further, one R. Murthy of Rayagiri Town Panchayat, who was facing similar allegations, had challenged the appointment of a Junior Assistant as the

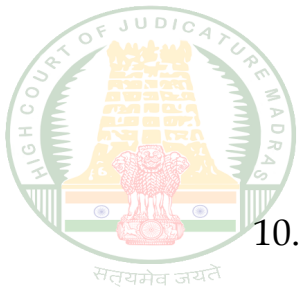


WP(MD)Nos.29546 of 2024, etc., batch

Enquiry Officer by filing WP.No.14654 of 2016. This Court, by order

dated 11.08.2016, directed that the enquiry should be conducted only by an officer in the cadre of Executive Officer Grade - II or an officer of a higher rank. Accordingly, the disciplinary proceedings were thereafter conducted by the competent authorities in accordance with law after duly considering the explanations submitted by the petitioners.

10.6.The petitioners, by falsely projecting themselves as differently abled persons, have deprived genuine candidates belonging to the priority category of their rightful opportunity to secure public employment. The CB-CID has completed its investigation and has proposed to file the final report, in which most of the petitioners have been arrayed as accused for their active involvement in fabricating and using bogus disability certificates to secure appointments under the priority category. Therefore, the petitioners, who obtained public employment by misrepresentation and by producing forged documents, cannot claim any equitable relief or seek continuance in service.



10.7. Apart from the above, it was further submitted that the priority category as per G.O.Ms.No.188, Personnel and Administrative Reforms (Personnel-P) Department dated 28.12.1976 is not confined to differently abled persons alone. It comprises several categories, including Ex-servicemen, wives of Ex-servicemen, legal heirs of freedom fighters, destitute widows, repatriates from Burma and Sri Lanka, persons who have donated land for Government projects, and differently abled persons. In the cases on hand, though the respondent Town Panchayats and Municipalities requisitioned candidates under the priority category, the Employment Exchange sponsored only the names of the petitioners for consideration as differently abled persons. No candidates belonging to the other priority categories were sponsored. Consequently, the petitioners were considered and appointed against vacancies earmarked exclusively for the priority category on the basis of the disability status falsely claimed by them.

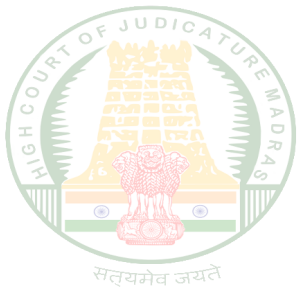
11. The Deputy Superintendent of Police, Organised Crime Unit, CB-CID, Tirunelveli, has filed a status report stating that a criminal case



WP(MD)Nos.29546 of 2024, etc., batch

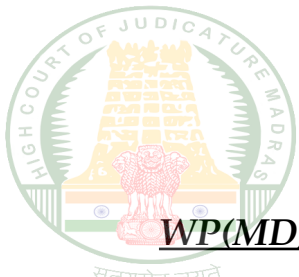
in Crime No.3 of 2015 was registered on the basis of a complaint lodged

by Dr.V.Chandrasekar, Civil Assistant Surgeon, Tirunelveli Medical College Hospital. The investigation was initially carried out by the Inspector of Police, Tirunelveli Medical College Hospital Police Station, during which ten accused were arrested and their confession statements were recorded. Thereafter, the investigation was taken over by the Assistant Commissioner of Police, Palayamkottai, who examined 20 witnesses, including medical officers attached to Tirunelveli Medical College Hospital and officials of the Department for the Welfare of Differently Abled Persons. Subsequently, the case was transferred to the CB-CID, which, after completing the investigation, has filed the final report arraying most of the petitioners as accused. It is further stated that the fake National Disability Identity Cards allegedly used by the petitioners were seized during the course of the investigation. The status report also discloses that the investigation has revealed similar appointments made in various Municipalities on the basis of fake disability certificates and that further investigation in respect of those appointments is presently under progress.



WEB COPY 12. This Court paid its anxious consideration to the rival submissions and also perused the materials.

13. Before examining the rival contentions, it is necessary to clarify the scope of the present writ petitions. The question before this Court is not whether the petitioners are criminally liable for the offences alleged against them. Those issues fall exclusively within the domain of the investigating agency and the competent criminal Court. The limited question that arises for consideration is whether there existed sufficient objective materials before the disciplinary authorities to reasonably conclude that the petitioners had secured appointments against posts earmarked for the physically disabled priority category by relying upon disability documents which were subsequently found not to be genuine, and whether the consequential disciplinary action suffers from arbitrariness, mala fides or perversity warranting interference under Article 226 of the Constitution of India.



WP(MD)Nos.29546 of 2024, etc., batch

**WP(MD)Nos.29546 to 29549, 29943, 31354, 31357, 31430, 31431 of 2024;
782, 801, 1049, 1319, 1409, 5704, 5705 of 2025; 3214, 4738 of 2026:-**

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14.The petitioners were appointed in temporary posts at various Town Panchayats and Municipalities in the Tirunelveli District during the years 2005 till 2015. They were appointed by calling for names from the Employment Exchange under the priority quota. The District Employment Exchange has forwarded the names of the petitioners along with their National Disability Cards and certificates that they were physically disabled persons. They were also accommodated by the Town Panchayats and Municipalities under the priority quota for the physically disabled persons. Thereafter, an FIR in Crime No.85 of 2015 was registered based on the complaint of one Dr.V.Chandrasekaran, a Civil Assistant Surgeon that a fake National Disability Card was issued by the Differently Abled Welfare Department based on his forged signature and seal of the hospital. The investigation of the same was transferred to the CB-CID, Tirunelveli and a new FIR in Crime No.3 of 2015 was registered on 07.09.2015. The investigation agency found that that multiple recruitments were made at various Town Panchayats and



municipalities in Tirunelveli on the basis of fake disability certificates and there was a large scale organized fraud.

15. Therefore, medical examination of the petitioners was carried out to verify the genuineness of their appointments and it was found that they were not physically disabled. Hence, the respondent Town Panchayats and Municipalities initiated disciplinary proceedings as against the petitioners that they had unlawfully secured appointments against posts reserved for the physically challenged priority category by furnishing fake disability certificates to the District Employment Exchange. The Enquiry Officer concluded that the petitioners were accommodated in priority posts, even though they were not physically disabled. Acting upon the findings of the enquiry officer, the disciplinary authority has passed final orders, terminating the petitioners from service. As against the same, these writ petitions have been filed.

16. The primordial contention of the petitioners is that their interview call letters or appointment orders did not specify that they



were appointed as against the priority quota for the physically disabled

persons and therefore, it cannot be said that they have committed any fraud or misrepresentation. This Court is not inclined to accede this contention, inasmuch as the nature of an appointment cannot be determined solely from the wording employed in the appointment order. The Court is entitled to examine the entire recruitment process commencing from the requisition made by the appointing authority, the category under which candidates were sponsored by the Employment Exchange, the records accompanying such sponsorship and the circumstances culminating in the appointment. It is only by examining the recruitment process as a whole that the true character of the appointment can be ascertained.

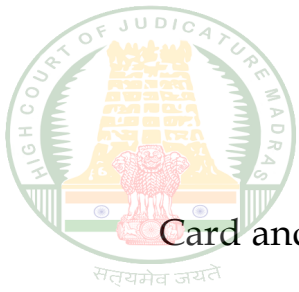
17. In the cases on hand, the very manner in which the appointments were made raises many questions and this Court has noted the following suspicious factors:

(i) Invariably, in all the cases, the Town Panchayats and Municipalities have called for candidates under the Priority quota. In



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certain instances, they have called for candidates under the Priority (General) quota. Therefore, the Employment Exchange was bound to follow the order of priority as provided under G.O.Ms.No.188, Personnel and Administrative Reforms (Personnel-P) Department dated 28.12.1976. As per this Government Order, not only the physically disabled persons but disabled Ex-servicemen including Ex-Indian Peace Keeping Force Personnel and their family members, Destitute Widows, Inter-Caste Married couples, legal heirs of freedom fighters, Indian Nationals returning from Burma / Sri Lanka and East African countries of Kenya, Uganda and Tanzania due to repatriation and members of the family (including members of Scheduled Caste / Scheduled Tribe) whose lands have been acquired for Government purposes as well as for the projects of the Public Sector Undertakings should also be considered for the priority posts. However, these categories have been bypassed and directly the names of the petitioners were sent that they are physically disabled. In other instances, the Town Panchayats and Municipalities concerned have called for candidates from specific priority categories. However, the Employment Exchange has sent the National Disability



WP(MD)Nos.29546 of 2024, etc., batch

Card and disability certificates of the petitioners to the Town Panchayats

as if they are disabled persons and the petitioners were also accommodated under the physically disabled priority quota, even though the appointment orders does not reflect the same.

(ii) The Employment Exchange has sent the National Disability Identity Cards of the petitioners bearing their signatures and photographs to the Town Panchayats and Municipalities along with documents certifying them as persons with physical disability. The subsequent medical examination of the petitioners found that they were not physically disabled. This, in turn, raises serious doubts regarding the genuineness of the National Disability Identity Cards and disability certificates forwarded by the Employment Exchange. However, it has not been explained as to how the Employment Exchange came into possession of these disability documents containing the petitioners' photographs, personal particulars and signatures or why those documents alone were forwarded to the appointing authorities. Equally, the petitioners have not offered any satisfactory explanation as to how



such disability identity cards and certificates came to be issued in their

names. In the absence of any plausible explanation regarding the origin and transmission of these documents, the petitioners cannot plead complete ignorance of the circumstances under which they secured appointment.

(iii) The petitioners have produced certificates of physical fitness at the time of their appointment. This is completely contradictory to the details provided by the Employment Exchange that the petitioners were physically disabled. However, the Selection Committee failed to verify either the genuineness of the disability certificates or the medical fitness of the petitioners before confirming their appointments.

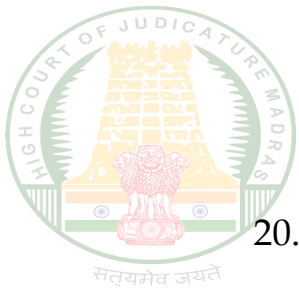
All the above factors creates an impression that there was impropriety in the process followed in the selection of the petitioners.

18.The priority category system for recruitment by calling for candidates from the Employment Exchange was introduced by the Government to provide targeted affirmative action and opportunities for



marginalized or disadvantaged societal groups. As per this system, there is an order of priority wherein multiple marginalized groups are listed and the employment under the priority posts should be made by following this order. However, the other categories belonging to the priority system were bypassed and the names of the petitioners were sent by the Employment Exchange that they are physically disabled.

19.It is also relevant to note that the Government introduced 3% reservations in State Public Services for physically disabled persons vide G.O.Ms.No.602, Social Welfare Department, dated 14.09.1981 with the object of ensuring their welfare and social advancement. However, it was found that the petitioners were not physically disabled but were accommodated under the priority posts meant for the physically disabled persons and by misusing the reservation provided for the benefit of persons who are actually physically disabled. Therefore, the petitioners have not only taken away the posts meant for the physically disabled persons but also snatched away the opportunities provided to the other priority groups as per the order of priority.



20. At this juncture, it is appropriate to consider the well-settled principle of *Fraus et jus nunquam cohabitant* (fraud and justice never dwell together). The law does not permit a person to retain an advantage obtained by practising fraud or misrepresentation. In *Union of India v. Prohlad Gupta* [2024 SCC OnLine SC 1865], the Hon'ble Supreme Court reiterated that fraud vitiates every solemn act and that a person who secures public employment by practising fraud cannot seek protection of the law to retain such appointment, in the following terms:

“14. The above discussion reiterates that fraud vitiates all proceedings. Compassionate appointment is granted to those persons whose families are left deeply troubled or destitute by the primary breadwinner either having been incapacitated or having passed away. So when persons seeking appointment on such ground attempt to falsely establish their eligibility, as has been done in this case, such positions cannot be allowed to be retained. So far as the submission of non compliance of the Rules is concerned, the judgment in Vishwanatha Pillai (supra) answers the question. The respondent-employees in the present case, having obtained their position by fraud, would not be considered to be holding a post for the purpose of the protections under the Constitution. We are supported in this conclusion by the observations made in Devendra Kumar v. State of



Uttaranchal.

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In paragraph 25 thereof it was observed –

“25. More so, if the initial action is not in consonance with law, the subsequent conduct of a party cannot sanctify the same. *Sublato fundamento cadit opus* – a foundation being removed, the superstructure falls. A person having done wrong cannot take advantage of his own wrong and plead bar of any law to frustrate the lawful trial by a competent court. In such a case the legal maxim *nullus commodum capere potest de injuria sua propria* applies. The persons violating the law cannot be permitted to urge that their offence cannot be subjected to inquiry, trial or investigation. (Vide *Union of India v. Major General Madan Lal Yadav* [(1996) 4 SCC 127 : 1996 SCC (Cri) 592 : AIR 1996 SC 1340] and *Lily Thomas v. Union of India* [(2000) 6 SCC 224 : 2000 SCC (Cri) 1056].) Nor can a person claim any right arising out of his own wrongdoing (*jus ex injuria non oritur*). (Emphasis supplied)”

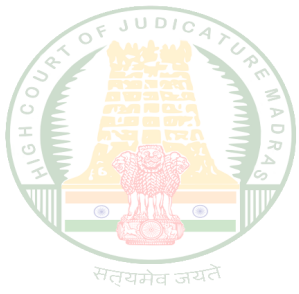
21. Therefore, an appointment obtained by practising fraud upon the public exchequer is *void ab initio*. The persons with disabilities are treated as a priority category as the State has an obligation to facilitate the advancement of persons with disabilities. Therefore, the petitioners



cannot claim any equity or legal right over the posts reserved for persons with physical disabilities, when they are not physically disabled persons.

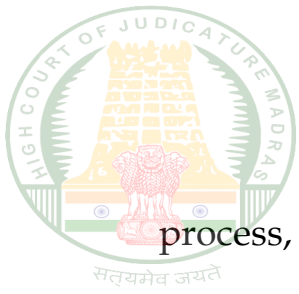
By obtaining public employment in the priority quota meant for physically disabled persons through fake disability identity cards and certificates and continuing in service for around eight years, the petitioners have committed fraud not only upon the Government, but also upon disabled persons and persons belonging to other priority categories who were deprived of their lawful employment opportunities.

22.It is also relevant to note that most of the petitioners have been arrayed as accused in the final report filed by the CB-CID. Though mere arraignment as an accused cannot, by itself, determine the legality of the disciplinary proceedings or justify the impugned orders, it nevertheless forms part of the surrounding circumstances explaining the initiation of the disciplinary action. The departmental proceedings were not commenced on mere suspicion but arose out of a large-scale investigation into the alleged misuse of disability certificates for securing appointments under the priority quota.



WEB COPY 23. Insofar as the aspect of delay is concerned, the respondent Town Panchayats and Municipalities have sufficiently justified the same due to the medical examination of the petitioners and also the pendency of criminal proceedings. Therefore, on this ground alone, this Court is not inclined to set aside the impugned disciplinary proceedings and termination orders.

24. This Court is conscious in not recording any finding as to whether the petitioners themselves forged or fabricated the disability identity cards or disability certificates. That issue forms part of the pending criminal proceedings. However, the cumulative effect of the materials discussed above, namely, the requisitions made under the priority category, the sponsorship of the petitioners by the Employment Exchange as physically disabled candidates, the disability documents forwarded along with their candidature, the subsequent medical examination, the absence of any satisfactory explanation regarding those documents and the procedural irregularities noticed in the recruitment



WP(MD)Nos.29546 of 2024, etc., batch

process, furnish sufficient objective material for the disciplinary authorities to proceed against the petitioners. This Court, therefore, does not find any ground to interfere with the impugned disciplinary proceedings or the consequential orders of termination in exercise of its jurisdiction under Article 226 of the Constitution of India, insofar as these writ petitions are concerned.

WP(MD)No.36374 of 2025:-

25.Insofar as M.Sudalaikani [the petitioner in WP(MD)No.36374 of 2025] is concerned, the petitioner claims that he was not subjected to any medical examination before the impugned termination order was passed. However, a perusal of the impugned order of termination dated 05.06.2018 reveals that the Dean of the Tirunelveli Medical College Hospital has sent a communication on 12.01.2016 that the petitioner was subjected to medical examination on 09.01.2016 and it was found that there was no clinically obvious permanent physical disability. Even though the appointment order reflects that the petitioner was appointed under the Scheduled Caste priority category, he was admittedly

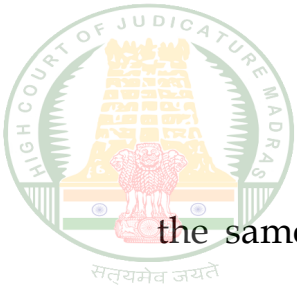


WP(MD)Nos.29546 of 2024, etc., batch

accommodated under the priority quota meant for persons with physically disabled persons. Further, the Employment Exchange has forwarded the National Disability Identity Card and disability certificate of the petitioner to the Municipality as if the petitioner was physically disabled. The medical examination has established that these documents were fake and no explanation has been provided as to why these documents were sent by the Employment Exchange. Therefore, this Court is not inclined to set aside the impugned orders as against this petitioner.

WP(MD)No.1141 of 2025:-

26.Insofar as T.Saravanan [the petitioner in WP(MD)No.1141 of 2025] is concerned, he was appointed under the priority quota for the physically disabled persons based on his disability certificate that he has 50% Learning Disability. Thereafter, he was sent for medical examination and the Dean, Tirunelveli Medical College Hospital has provided a report on 25.11.2015 that there was “No Clinical Evidence of any Physical Disability”. The petitioner was suspended on the basis of

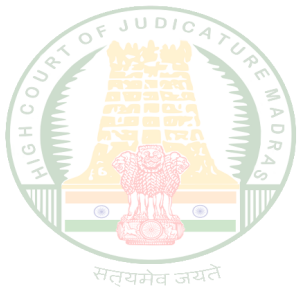


WP(MD)Nos.29546 of 2024, etc., batch

the same on 14.12.2015. However, the petitioner was sent for another

medical examination on 07.09.2016 and the Joint Director of Welfare Services (in charge), Tirunelveli has provided a report on 15.09.2016 that while the petitioner does not have Learning Disability and that his Disability Certificate was not genuine, he has 40% permanent disability in the Left Hand and Wrist and that he may be included in the disability quota. Based on this report, the enquiry officer recommended that the suspension of the petitioner may be cancelled and the same was also accepted on 01.06.2017.

27.However, another charge memo has been issued on 13.09.2024 on the very same charges and the impugned enquiry report is based on the initial report of the Dean, Tirunelveli Medical College Hospital dated 25.11.2015 that there was no evidence of physical disability. Since the enquiry officer has failed to consider the later report of the Medical Board that the petitioner had 40% permanent disability in his left hand and wrist, this Court is inclined to set aside the impugned enquiry report and show cause notice as against this petitioner.



WEB **Other Findings:-**

28.This Court has noted that the irregularities in the present batch of cases appear to have originated primarily at the stage of sponsorship by the District Employment Exchange. The records disclose that the Employment Exchange forwarded the names of the petitioners to the respondent Town Panchayats and Municipalities as persons belonging to the physically disabled priority category together with disability identity cards and disability certificates, even though they were not actually physically disabled. It remains wholly unexplained as to how such disability documents, containing the photographs, signatures and personal particulars of the petitioners, came into the possession of the Employment Exchange or on what basis they were accepted as genuine.

29.More importantly, the Government Orders governing recruitment through the Employment Exchange recognise several categories under the priority system, including Ex-servicemen, dependants of Ex-servicemen, legal heirs of freedom fighters, destitute



widows, repatriates and persons whose lands were acquired for

Government projects, apart from persons with disabilities. When the respondent Town Panchayats and Municipalities sought candidates under the priority category, it is not known as to why the Employment Exchange sponsored only candidates shown as persons with disabilities without adhering to the prescribed order of priority or considering candidates from the other recognised priority categories. No satisfactory explanation is forthcoming in this regard.

30. These circumstances disclose either a complete failure in the process of verification or a deeper systemic irregularity in the functioning of the Employment Exchange. In either event, the matter raises serious concerns touching upon the integrity and transparency of public recruitment. The Employment Exchanges are entrusted with the registration of job seekers, sponsorship of eligible candidates against notified vacancies and maintenance of employment records. Thousands of aspiring candidates depend upon the fairness and impartiality of this mechanism for access to public employment. Any manipulation or



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failure in this process not only prejudices deserving candidates but also erodes public confidence in the fairness of recruitment to public service.

31.This Court also takes note of the categorical statement made by the CB-CID in its status report that the investigation has revealed similar appointments in various other Municipalities on the basis of disability certificates and that further investigation in respect thereof is presently under progress. The systemic deficiencies noticed in the present batch of cases, therefore, cannot be viewed as confined to the petitioners before this Court but appear to have wider ramifications affecting public recruitment through the Employment Exchanges.

32.In view of the above, the Secretary to Government, Labour Welfare and Skill Development Department, Chennai, is *suo motu* impleaded as a party respondent to the writ petition in WP(MD)No.4738 of 2026. The Secretary shall constitute a Committee of senior officers to conduct a comprehensive enquiry into the manner in which candidates were sponsored by the concerned District Employment Exchange for



appointment under the priority category. The Committee shall examine

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(i) the manner in which the disability identity cards and disability certificates came to be accepted and forwarded by the Employment Exchange;

(ii) why the prescribed procedure and the order of priority governing sponsorship were not adhered to;

(iii) the officers / officials responsible for any lapse, negligence, misconduct or collusion in the sponsorship process; and

(iv) whether similar irregularities have occurred in other recruitments made through the Employment Exchange during the relevant period.

Based on the findings of the Committee, the Secretary shall take appropriate departmental action against the officers / officials concerned, wherever such action is found warranted, after putting them on notice, in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

33.The Deputy Superintendent of Police, Organised Crime Unit, CB-CID, Tirunelveli, shall also examine the role played by the officials of



WP(MD)Nos.29546 of 2024, etc., batch

the District Employment Exchange, if any, in the occurrence under investigation. The investigation shall not remain confined to the beneficiaries of the appointments alone, but shall also encompass the manner in which the candidates came to be sponsored under the physically disabled priority category, the source of the disability documents, the apparent departure from the prescribed order of priority and the role of the officials concerned, if any. The report of the Committee shall be forwarded to the investigating agency immediately on its completion, and the investigating agency shall take the same into consideration, if found relevant, during the course of investigation. The investigating agency shall thereafter carry the investigation to its logical conclusion, in accordance with law.

34.The Secretary shall also undertake a comprehensive review of the existing mechanism governing sponsorship through the Employment Exchanges and put in place appropriate administrative and supervisory safeguards to ensure strict compliance with the Government Orders governing priority sponsorship, proper verification of records



WP(MD)Nos.29546 of 2024, etc., batch

and greater accountability in the sponsorship process, so as to prevent the recurrence of similar irregularities.

With the above observations and directions,

i) WP(MD)Nos.29546 to 29549, 29943, 31354, 31357, 31430, 31431 of 2024; 782, 801, 1049, 1319, 1409, 5704, 5705, 36374 of 2025; 3214, 4738 of 2026 are dismissed.

ii) WP(MD)No.1141 of 2025 is allowed and the impugned show cause notice and enquiry report are set aside.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

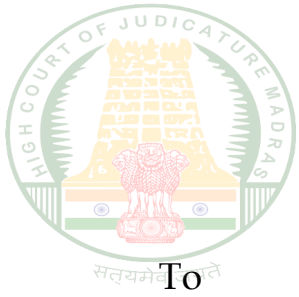
Internet : Yes
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23.07.2026

Note:

Mark a copy of this order to

The Deputy Superintendent of Police,
Organised Crime Unit,
CB-CID,
Tirunelveli.



WP(MD)Nos.29546 of 2024, etc., batch

To
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- 1.The Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat, Chennai.
- 2.The Director of Town Panchayat,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 3.The Director,
Department of Municipal Administration & Water Supply,
Chepauk, Chennai – 600 005.
- 4.The District Collector,
Collectorate,
Tenkasi District.
- 5.The Municipal Commissioner,
Kadayanallur Municipality,
Tenkasi District.
- 6.The District Employment Officer,
Employment Exchange,
Tirunelveli.
- 7.The Assistant Director of Town Panchayat,
Tirunelveli Zone,
Tirunelveli.
- 8.The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.



WP(MD)Nos.29546 of 2024, etc., batch

9. The Commissioner,
Ambasamuthiram Municipality,
Tirunelveli District.

10. The Commissioner,
Puliyankudi Municipality,
Tirunelveli District.

11. The Executive Officer,
Mukkudal Selection Grade Town Panchayat,
Tirunelveli.

12. The Executive Officer,
Achanpudur 1st Grade Town Panchayat,
Achanpudur, Kadayanallur Taluk,
Tenkasi District.

13. The Executive Officer,
Pudur(S) 1st Grade Town Panchayat,
Pudur, Tenkasi District.

14. The Executive Officer,
Vadakarai Kilpidagai Town Panchayat,
Vadakarai Kilpidagai,
Tenkasi District.

15. The Executive Officer,
Vadakku Valliyur Special Grade Town Panchayat,
Vadakku Valliyur,
Tirunelveli District.

16. The Executive Officer,
Manimutharu Special Grade Town Panchayat,
Manimutharu – 627 421,
Tirunelveli District.



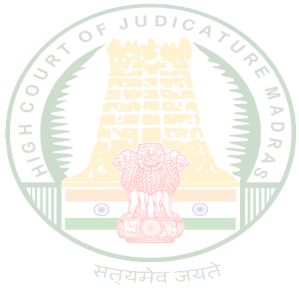
WP(MD)Nos.29546 of 2024, etc., batch

17.The Executive Officer,
Veeravanallur Town Panchayat,
Veeravanallur,
Tirunelveli District.

18.The Executive Officer,
Panagudi Special Grade Town Panchayat,
Panagudi,
Tirunelveli District.

19.The Executive Officer,
Special Grade Town Panchayat,
Thisayanvilai,
Tirunelveli District.

20.The Executive Officer,
Selection Grade Town Panchayat,
Naranammalpuram,
Tirunelveli.



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WP(MD)Nos.29546 of 2024, etc., batch

B.PUGALENDHI, J.

gk

**WP(MD)Nos.29546 to 29549, 29943, 31354, 31357, 31430, 31431 of 2024;
782, 801, 1049, 1141, 1319, 1409, 5704, 5705, 36374 of 2025;
3214, 4738 of 2026**

23.07.2026