

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27937 of 2015
and M.P.No.1 of 2015

K.Sukumar

... Petitioner

Vs.

1. The Principal Director, Highways Department,
Chepauk, Chennai - 5
2. The Joint Director,
Administrative Office of the Principal Director,
Highways Department, Chepauk, Chennai - 5
3. The Superintending Engineer,
Highways Department, Construction and Maintenance,
Tiruppur Circle, Tiruppur
4. The Divisional Engineer, Highways Department,
Construction and Maintenance,
Tiruppur Circle, Tiruppur

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the candidate of the petitioner for promotion by transfer as Assistant Draughtsman in anyone of the existing or next arising vacancies in the light of his representation, dated 18.08.2015 and appoint him on promotion as such with retrospective effect from the date of promotion of his junior with consequential benefits.

For Petitioner : Mr. G.Punniyakotti
For Respondents : Mr. R.Vijayakumar, AGP.,

O R D E R

Admit. Mr.R.Vijayakumar, learned Additional Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that, he joined the services as Gang Mazdoor (Salai Paniyalar) on 05.11.1997, in the respondents / Department, in Erode Division and his services, in the said post, was

regularized with effect from 11.11.1998. The petitioner would further state that, he has passed SSLC and three years Diploma Course in Civil Engineering Examination.

3. The grievance expressed by the petitioner is that he has been stagnated in the said post of Gang Mazdoor for more than 18 years, without any promotion, though he has been fully qualified for promotion to the post Assistant Draughtsman in the Tamil Nadu Highways Engineering Subordinate Service. The further grievance expressed by the petitioner is that his juniors were given promotion to the said post, whereas his claim has been overruled and in this regard, he has submitted a representation, dated 18.08.2015, through proper channel, to the first respondent and since no orders have been passed, the petitioner has come forward to file this writ petition.

4. Heard the learned counsel for both sides.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider the petitioner's representation, dated 18.08.2015, in accordance with law, after putting on notice to the persons concerned, and pass orders, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the persons concerned.

6. This writ petition is disposed of accordingly. No costs. Consequently, the connected MP is closed.

Sd/-

Asst. Registrar

/true copy/

Sub Asst. Registrar.

srk

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To

1. The Principal Director, Highways Department,
Chepauk, Chennai - 5
2. The Joint Director, Administrative Office of the Principal
Director,
Highways Department, Chepauk, Chennai - 5
3. The Superintending Engineer,
Highways Department, Construction and Maintenance,
Tiruppur Circle, Tiruppur
4. The Divisional Engineer, Highways Department,
Construction and Maintenance, Tiruppur Circle, Tiruppur

+1cc to Mr.G.Punniyakotti, Advocate SR.No.48039

1 CC to the Government Pleader SR NO 48286

W.P.No.27937 of 2015

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