

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.29626 of 2015

Tamil Nadu Highways Road
Inspectors Association
(Regn.No.127/2011)
No.3/690-3, Old Sivakasi Road
Virudunagar 626 001
Virudunagar District
rep. By its General Secretary
M.Marimuthu

Vs

1. The Government of Tamil Nadu
rep. By the Secretary to Government
Highways Department
Fort St. George, Chennai 600 009

2. The Principal Director
Highways Department
PWD Complex, Kamarajar Salai
Chennai 600 005

... Petitioner

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 4.8.2015, requesting to refrain from filling up 212 vacancies in the category of Junior Engineer by direct recruitment of Assistant Engineers.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The grievance expressed by the petitioner-Association, is that only 10% of the vacancies in the post of Junior Engineer should be filled up by direct recruitment and the remaining 90% should be

filled up by promotion from the feeder categories and in terms of G.O.Ms.No.82, Highways Department, dated 8.5.2012, the Government had also issued orders fixing the cadre strength of Assistant Engineers/Junior Engineers as 972 and out of the said strength, Assistant Engineers would account for 760, while Junior Assistants would account for 212 and at present, only 43 posts are vacant in the category of Assistant Engineer and 81 posts in the category of Junior Engineer and without complying the percentage of vacancies reserved for direct recruitment and promotion, the Tamil Nadu Public Service Commission has issued Notification No.10/2015 dated 21.7.2015, inviting on-line applications for direct recruitment to the post of Assistant Engineers (Civil) in the Highways Department and number of vacancies have been shown as 213.

3. According to the petitioner-Association, only 43 posts are vacant and it is not known how 213 vacancies have been notified. The apprehension expressed by the petitioner, is that even in respect of promotion to the said post, direct recruitment is being resorted to and in this regard, the petitioner has submitted a representation dated 4.8.2015, to the second respondent and since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.S.Gunasekaran, learned Government Advocate, who accepted notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the second respondent to consider the petitioner's representation dated 4.8.2015, in accordance with law and pass orders thereon within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते
Sd/-

Assistant Registrar (CS V)

//True Copy//

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Sub Assistant Registrar

nsv

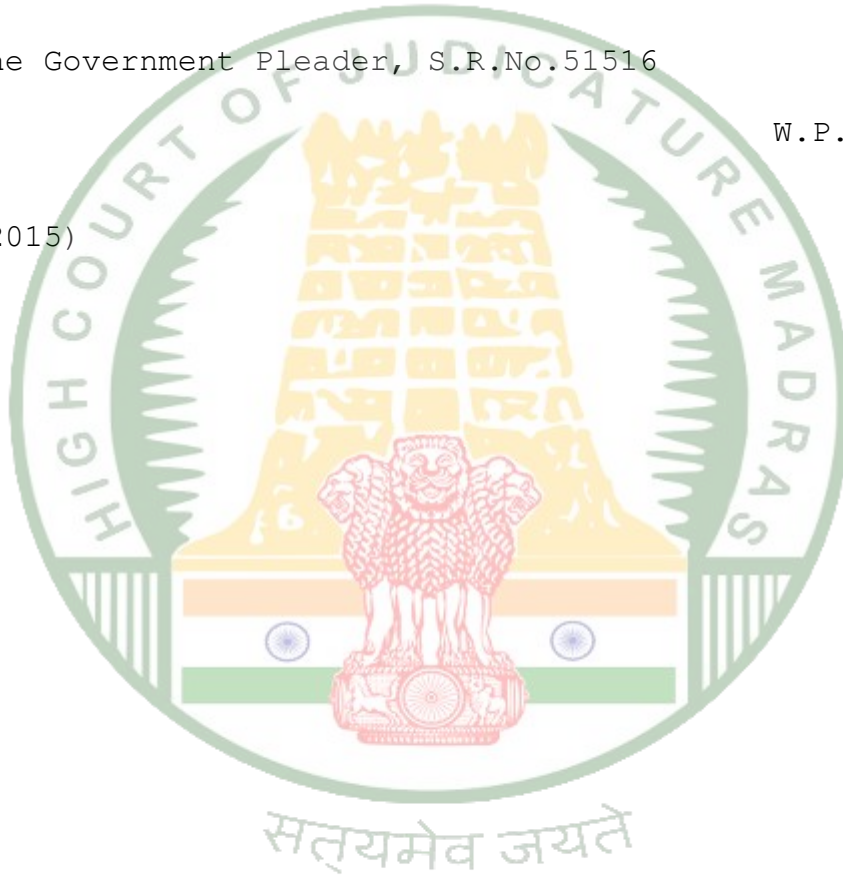
To:

1. The Secretary to Government
Highways Department
Fort St. George, Chennai 600 009
2. The Principal Director
Highways Department
PWD Complex, Kamarajar Salai,
Chennai 600 005

+1cc to the Government Pleader, S.R.No.51516

W.P.No.29626 of 2015

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CA(01/10/2015)



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