

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.33805 of 2015

M.Mariyappan

... Petitioner

vs.

1 Director General
Highways Department
Chepauk Chennai 5

2 Superintending Engineer
Highways Department
Salem, Salem District

3 Divisional Engineer
Highways Department
Dharmapuri Division
Dharmapuri District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the representation dated 5.8.2015 made by the petitioner for regular promotion to the post of Grade II Road Inspector pursuant to the panel of the year 2014 prepared by the 3rd respondent and confer all the consequential benefits

For Petitioner : Mr.P.Ganesan
for M/s.C.S.Associates

For Respondents : Mr.R.Vijayakumar
Addl. Govt. Pleader

O R D E R

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

2. The petitioner would state that though he was not initially given promotion as Grade II Road Inspector for the reason that he did not possess the minimum required education qualification, he passed S.S.L.C examination during the year 2012 and as such, he became eligible to be considered for the post of Grade II Road Inspector. The department draw the Panel for the year 2014 and his name was placed as No.2 in the Panel. However, instead of giving promotion on regular basis, as per the list prepared for the year 2014, the department temporarily promoted his juniors on 17.07.2014 and challenging the same, the petitioner filed W.P.No.20909 of 2014 and notice has been ordered in the said writ petition.

3. The grievance expressed by the petitioner is that the he has not been given any regular promotion and in this regard he has also submitted a representation dated 05.08.2015 to the 1st respondent. Since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.P.Ganesan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar learned Additional Government Pleader, who accepts notice for the respondents.

5. Though the prayer in the writ petition is for the larger relief, the learned counsel for the petitioner confined his argument to the limited extent of directing the 1st respondent to pass orders on the representation of the petitioner dated 05.08.2015, within a stipulated time.

6. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 05.08.2015, and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs.

sd/
ASSISTANT REGISTRAR (CS-VII)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

Rj

To

- 1 The Director General
Highways Department
Chepauk Chennai 5
- 2 Superintending Engineer
Highways Department
Salem, Salem District
- 3 Divisional Engineer
Highways Department
Dharmapuri Division
Dharmapuri District

+1 CC to M/s.C.S.Associates Advocate. SR.NO. 58013

+1 CC to Govt.Pleader. SR.NO. 58107

W.P.No.33805 of 2015

CO-SKV
JD 16/11/2015

सत्यमेव जयते
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