

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.28308 of 2014 and 6996 of 2015

and

M.P.No.1 of 2015 in W.P.No.6996 of 2015

A.Soundararajan ... Petitioner in W.P.No.28308 of 2014

P.Sadhasivan ... Petitioner in W.P.6996 of 2015

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Higher Education Department,
Fort St.George, Chennai-600 009.
2. Directorate of Technical Education,
Rep. by the Commissioner,
Guindy, Chennai-600 025.
3. Government Polytechnic College,
Rep. by its Principal,
Coimbatore-641 014. ... Respondents in W.P.No.28308 of 2014

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Higher Education Department,
Fort St.George, Chennai-600 009.
2. Additional Director (Polytechnic),
Director of Technical Education,
Chennai-600 025.
3. Government Polytechnic College for Women,
Rep. by its Principal,
Coimbatore-641 044. ... Respondents in W.P.No.6996 of 2015

Writ Petition No.28308 of 2014 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to promote the petitioner as Instructor (Mechanical) with effect from 01.04.1983, Lecturer with effect from 01.04.1986, upgraded Senior Lecturer with effect from 01.04.1994, upgraded Head of the Department with effect from 01.04.2004, upgraded H.O.D. with the scale of pay Rs.37000-67000 + AGP 9000 with effect from 01.04.2007 and consequently grant the seniority and monetary benefits from the date based on G.O.Ms.No.472, dated 10.09.1998, G.O.Ms.No.89, dated 31.03.2009 and proceedings No.22104/B4/2012-1, dated 24.12.2012 and 06.12.2013 by which similarly placed persons like the petitioner, namely Mr.Vinayagamorthy, G.Mathivanan, A.Albert Jesudas, N.Arunachalam, R.Rajagopalan and K.Raju who were given retrospective promotion.

Writ Petition No.6996 of 2015 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to promote and pay the benefits to the petitioner as Instructor (Civil) with effect from 01.10.1984, Lecturer with effect from 01.10.1987, upgraded Senior Lecturer with effect from 01.10.1995, upgraded Head of the Department with effect from 01.10.2005 and upgraded Head of the Department with scale of pay of Rs.37400-67000 + AGP Rs.9000/- with effect from 01.10.2008 and consequently grant the seniority and monetary benefits from the date based on G.O.Ms.No.472, dated 10.09.1998, G.O.Ms.No.89 dated 31.03.2009 and proceedings No.22104/B4/2012-1, dated 24.12.2012 and 06.12.2013 and orders dated 19.09.2014 in W.P.Nos.25604 to 25607 of 2014 by which similarly placed persons like the petitioner, namely Mr.Vinayamoorthy, G.Mathivanan, A.Albert Jesudas, N.Arunachalam, R.Rajagopalan K.Raju, Esther Sugandhi Pramod, Senbagavalli, Megala and Vijaya who were given retrospective promotion.

सत्यमेव जयते

For Petitioners : Mrs.A.V.Bharathi for Mr.E.Martin Jeya Kumar

For Respondents : Mr.K.Dhananjayan, Spl.G.P. for RR-1 and 2

ORDER

Learned counsel for the petitioners submitted that with regard to the prayer sought for in W.P.Nos.28308 of 2014 and 6996 of 2015, this Court, in respect of similar prayer in W.P.No.25604 of 2014, dated 19.09.2014, had allowed the Writ Petition as prayed for. Therefore, following the above said order, dated 19.09.2014 in W.P.No.25604 of 2014, the present Writ Petitions in W.P.Nos.28308 of 2014 and 6996 of 2015 are

allowed as prayed for. No costs. M.P.No.1 of 2015 in
W.P.No.6996 of 2015 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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Copy to

1. Secretary to Government,
Higher Education Department,
Fort St.George, Chennai-600 009.
2. Directorate of Technical Education,
Rep. by the Commissioner,
Guindy, Chennai-600 025.
3. Government Polytechnic College,
Rep. by its Principal,
Coimbatore-641 014.
4. Additional Director (Polytechnic),
Director of Technical Education,
Chennai-600 025.
5. Government Polytechnic College for Women,
Rep. by its Principal,
Coimbatore-641 044.

+2cc to Mr.E. Martin Jayakumar, Advocate, S.R.No.66981 and 66980
+1cc to the Government Pleader, S.R.No.67121

skv(CO)
md(25/11/2016)

W.P.Nos.28308 of 2014
and 6996 of 2015