

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.460 of 2016

M.Marimuthu

... Petitioner

Vs.

1. The Principal Director
Highways Department
PWD Complex, Kamarajar Salai
Chennai-5.

2. The Joint Director (Administration)
Office of the Principal Director
Highways Department,
PWD complex, Kamarajar Salai,
Chennai-5.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the first respondents to consider the petitioner's representation dated 14.05.2015 requesting for promotion to the post of Junior Draughting Officer with reference to his Diploma in Civil Engineering Qualification and 17 years service in the post of Road Inspector and pass appropriate orders.

For Petitioner : Mr.P.Manoj Kumar

For Respondent : Mr.S.Gunasekaran, GA.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.According to the petitioner in the Highways Department there are two categories of Road Inspectors and in the Rural Development also there are two categories existed, as per GO.Ms.No.49, Rural Development Department and Panchayat Raj (E-3) Department dated 31.03.2015. Both the categories of Road Inspectors Grade - I and Grade - II are merged as Road Inspectors. However, in the Highways Department, both the post have not been merged and therefore a representation was made to the first respondent to merge both the categories and give them promotion as Junior Draughting Officer.

3.The grievance of the petitioner is that there are 188 vacancies in the post of Junior Drafting Officer in the Highways Department and the petitioner is also Diploma holder and fully qualified to hold the said post and stagnated in the same post for more than 17years and he also made a representation to the respondents to promote him as Junior Draughting Officer as done in the case of Rural Development Department. Since it was not considered, the petitioner filed the present writ petition.

4.Heard the submissions of Mr.P.Manoj Kumar, learned counsel appearing for the petitioner and M/s.S.Gunasekaran, Government Advocate who accepts notice on behalf of the respondents.

5.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 14.05.2015 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Principal Director
Highways Department
PWD Complex, Kamarajar Salai
Chennai-5.

2.The Joint Director (Administration)
Office of the Principal Director
Highways Department,
PWD complex, Kamarajar Salai,
Chennai-5.

+ 1 cc to Mr.P.Rajendran, Advocate SR 1329

+ 1 cc to the Govt.Pleader SR 1383

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