

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Fourteenth day of February Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.SATHYANARAYANAN

WMP No.3650 of 2017

IN WP.3617/2017

1 G.D.VIJAYARAGHAVAN [PETITIONERS]

2 S.VETRIVEL

3 S.PRADEESH

4 P.PALANIKUMAR

5 J.JOHN DEVAKUMAR

Vs

1 THE GOVERNMENT OF TAMILNADU [RESPONDENTS]
REP. BY ITS SECRETARY, PUBLIC WORKS
DEPARTMENT, SECRETARIAT, CHENNAI-9

2 THE ENGINEER-IN-CHIEF (WRO) &
CHIEF ENGINEER (GENERAL) PUBLIC WORKS
DEPARTMENT, CHEPAUK, CHENNAI-5

3 THE TAMILNADU PUBLIC SERVICE
COMMISSION, REP. BY ITS SECRETARY,
FRAZER BRIDGE ROAD, CHENNAI 600 003

4 TAMILNADU ENGINEERING
ASSOCIATION, REP. BY GENERAL
SECRETARY, PUBLIC WORKS DEPARTMENT
CAMPUS, CHEPAUK, CHENNAI 600 005

5 R.K.SHANMUGA
ASSISTANT ENGINEER, PWD,
BUILDING CONSTRUCTION DIVISION 1
(MEDICAL WORKS) CHEPAUK, CHENNAI-5

6 K.R.KUMARAGURU,
ASSISTANT ENGINEER, (PWD) BUILDING
CONSTRUCTION & MAINTENANCE DIVISION 1,
(MEDICAL WORKS), THALLAKULAM, PWD CAMPUS,
MAUDRAI-625 002.

(RESPONDENTS 4 AND 5 ALSO REPRESENT IN REPRESENTATIVE CAPACITY THE ASSISTANT ENGINEERS REGULARIZED IN IMPUGNED PROCEEDINGS DATED 06.11.2015 IS ISSUED BY THE 2ND RESPONDENT)

(PERMITTED THE PETITIONERS TO IMPLEAD THE RESPONDENT 4 TO 6 AS A RESPONDENT HEREIN TO REPRESENT THEMSELVES AS WELL AS TO REPRESENT IN REPRESENTATIVE CAPACITY THE ASSISTANT ENGINEERS WHOSE SERVICES HAVE BEEN REGULARIZED IN THE IMPUGNED PROCEEDINGS ISSUED BY THE 2ND RESPONDENT IN NO.S2(2)/29148/ 2004/ DATED 06.11.2015 AS PER ORDER DATED 14.02.2017 BY MSNJ IN WMP.3648/2017 IN WP.3617/2017).

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the impugned orders namely G.O. Ms.No.155 Public Works (D2) Department dated 13.8.2015 issued by the 1st respondent, impugned proceedings of the 2nd respondent in No.S2(2)/ 29148/2004 dated 06.11.2015 and impugned Letter of the 2nd respondent in S2(2)/ 59620/2015 dated 18.1.2017 in so far as fixing the seniority of the private respondents in the category of Assistant Engineers above the petitioners so as to be considered for promotion to the category of Assistant Executive Engineer in Tamil Nadu Engineering Service within the 75% quota earmarked for the Assistant Engineers, in (WMP No.3650 of 2017 IN WP.3617/2017).

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N.SUBRAMANIYAN, Advocate for the petitioner the court made the following order:-

The impugned order is consequent upon the relaxation granted in G.O.Ms.No.155 of the 1st respondent Department, dated 13.08.2015 and the said order is put to challenge only now in the form of the present writ petition.

2. In the light of the same, the interim order, sought for by the petitioner, cannot be granted.

3. Hence, the miscellaneous petition is dismissed.

-sd/-
14/02/2017

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY,
GOVERNMENT OF TAMILNADU PUBLIC WORKS
DEPARTMENT, SECRETARIAT, CHENNAI-9

2 THE ENGINEER-IN-CHIEF (WRO) &
CHIEF ENGINEER (GENERAL) PUBLIC WORKS
DEPARTMENT, CHEPAUK, CHENNAI-5

3 THE SECRETARY,
TAMILNADU PUBLIC SERVICE COMMISSION, FRAZER
BRIDGE ROAD, CHENNAI 600 003

4 THE GENERAL SECRETARY,
TAMILNADU ENGINEERING ASSOCIATION,
PUBLIC WORKS DEPARTMENT CAMPUS, CHEPAUK,
CHENNAI 600 005

C.C. to M/S.N.SUBRAMANIYAN Advocate on payment of necessary
charges

The Government Advocate, High Court, Madras - 104.

Order

in
WMP.3650/2017

in
WP.3617/2017

Date :14/02/2017

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ADD 28.02.2017