

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.19481 of 2017
and

W.M.P.Nos.21030 and 21031 of 2017

1.E.Selvam
2.D.Prabakar
3.G.Saravanan
4.R.Karthigeyani
5.G.Raj kumar
6.P.Annadurai
7.K.Prabhakaran
8.M.Rajasekaran
9.M.Mahendran Pandian
10.S.Anthonisamy
11.A.Prabavathi
12.D.R.Kannan
13.V.Mathangaeswari
14.P.Sathya
15.A.Gopi
16.G.Murugesan
17.G.Karthikeyan
18.S.Poonkuzhali
19.C.Tamilselvi
20.M.Geetha
21.G.Devaki
22.S.Abirami
23.S.Tajudeen

... Petitioners

सत्यमेव जयते
Versus

1. The State of Tamil Nadu
Rep.by its Principal Secretary to Government
Rural Development Department,
Fort St.George,
Chennai 600 009.

2. The Director of Rural Development (PD Section)
Panagal Building, Saidapet,
Chennai 600 015.

... Respondents

PRAYER: Writ petition filed under Article 226 of the
Constitution of India praying for issuance of Writ of Mandamus

directing the respondents to draw the panel of Assistant Engineer of Rural Development for the year 2015-16 in accordance with Rule 5(A) of Tamil Nadu Panchayat Development Engineering Service Rules for promotion to the post of Assistant Engineers.

For Petitioners : Mr.V.Suthakar

For Respondents : Mr.S.Gunasekaran,
Additional Government Pleader

ORDER

The relief sought for in this writ petition is for a direction to the respondents to draw the panel to Assistant Engineer of Rural Development for the year 2015-16 in accordance with Rule 5(A) of Tamil Nadu Panchayat Development Engineering Service Rules for promotion to the post of Assistant Engineer.

2. Though the larger prayer has been sought for in this writ petition, Mr.V.Sudhakar, learned counsel appearing for the writ petitioners had restricted the prayer to the extent of stating that it would be suffice, if a direction is issued to the 2nd respondent to consider the representation submitted by the writ petitioners in this regard.

3. The complaint of the writ petitioners is that the respondents have not followed the Rules, in its letter and spirit and granted promotion in violation of the Rules, depriving the eligible seniors getting their right of promotion. It is needless to state that all the authorities are to follow the Rules in force, while effecting promotion. In this view of the matter, without considering the merits and demerits of the case, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 22.05.2017 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of the copy of this order. The writ petitioners are directed to enclose the copy of the representation along with the order passed by this Court in this writ petition.

4. Accordingly, the writ petition stands disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sk

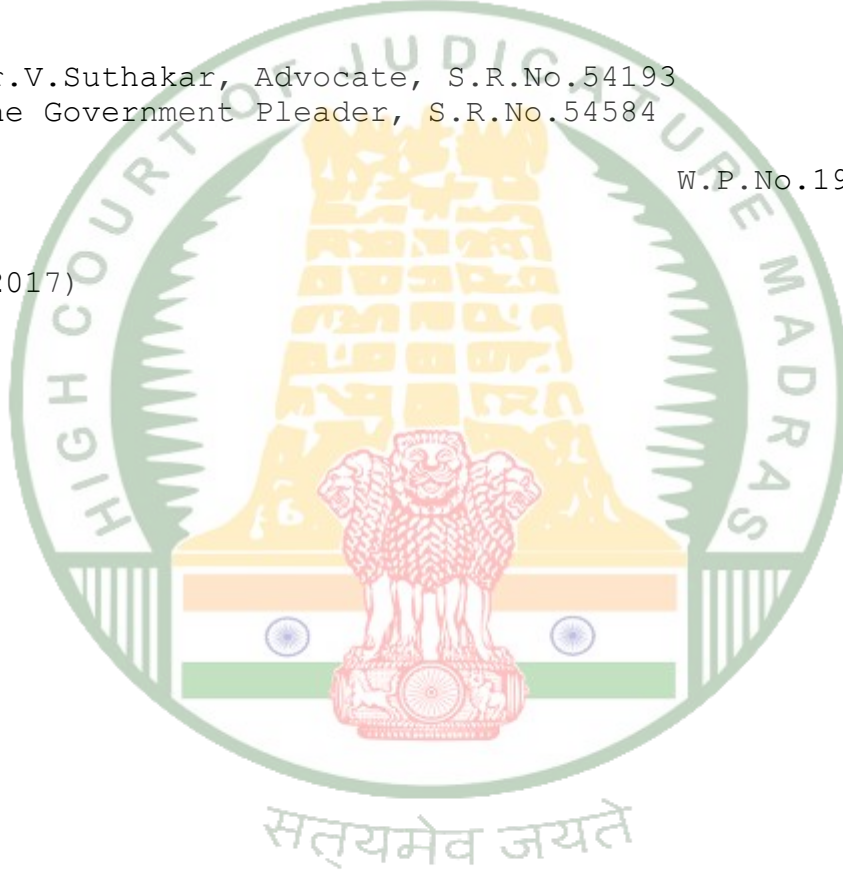
To

1. The Principal Secretary to Government
Rural Development Department,
Fort St.George,
Chennai 600 009.
2. The Director of Rural Development (PD Section)
Panagal Building, Saidapet,
Chennai 600 015.

+1cc to Mr.V.Suthakar, Advocate, S.R.No.54193
+1cc to the Government Pleader, S.R.No.54584

W.P.No.19481 of 2017

RK(CO)
CA(28.08.2017)



WEB COPY