

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.39857 of 2015

and M.P.No.1 of 2015

Tamil Nadu Highways Road
Inspectors Association (Regn.No.127/2011)
No.3/690-3 Old Sivakasi Road
Virudunagar-626 001
Virudunagar District
rep.by its General Secretary M.Marimuthu. ..Petitioner

Vs

1.The Government of Tamil Nadu
Rep.by the Secretary to the Government
Highways Department
Fort St.George
Chennai 600 009.

2.The Principal Director
Highways Department
PWD Complex, Kamarajar Salai
Chennai 600 005.

3.The Joint Director (Administration)
Office of the Principal Director
Highways Department
PWD Complex, Kamarajar Salai
Chennai 600 005.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to promote the Road Inspectors with seven years of service and Diploma in Civil Engineering to an extent of 25% of the vacancies in the post of Junior Draughting Officer.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Gunasekaran
Additional Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to promote the Road

Inspectors with seven years of service and Diploma in Civil Engineering to an extent of 25% of the vacancies in the post of Junior Draughting Officer in the Department of Highways.

2. From the affidavit filed in support of this writ petition, it is seen that the writ petitioner is working as Road Inspector in the Highways Department and the post of Road Inspector is not feeder category of the Junior Draughting Officer. This apart, there are no Rules available to grant an extent of 25% quota directly to the Road Inspectors for promotion to the post of Junior Draughting Officer. In the absence of any Rules in this regard, the petitioner cannot claim any promotion to the post Governed by the Rules otherwise. The prayer, as such sought for, is general in nature and the eligibility of the writ petitioner also has not been enumerated in this writ petition.

3. Thus, the question of the considering, the writ petitioner for promotion to the post of Junior Draughting Officer, does not arise at all. In the absence, of any Rules in this regard, the learned counsel appearing for the writ petitioner is also unable to substantiate his contention in support of the Rules in force. In the absence of any such Rules in this regard, the promotion in respect of category of the post of Road Inspector to the post of Junior Draughting Officer, the grounds raised in this writ petition, deserve no consideration at all.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

dna

To

1.The Government of Tamil Nadu
Rep.by the Secretary to the Government
Highways Department
Fort St.George
Chennai 600 009.

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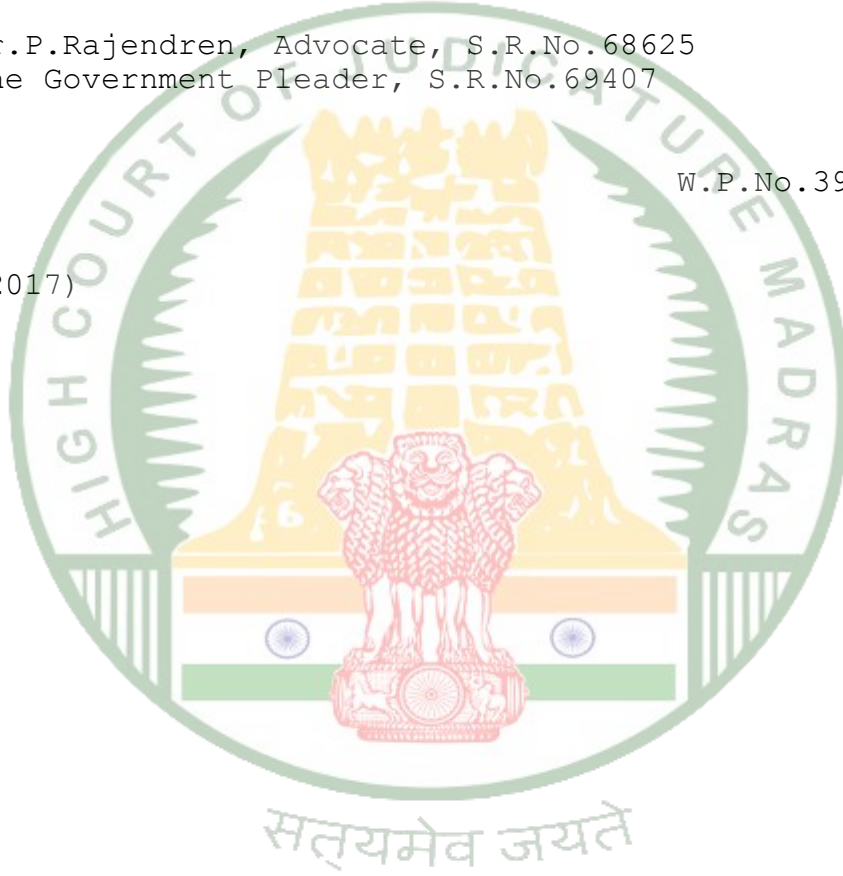
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PWD Complex, Kamarajar Salai
Chennai 600 005.

+1cc to Mr.P.Rajendren, Advocate, S.R.No.68625
+1cc to the Government Pleader, S.R.No.69407

W.P.No.39857 of 2015

GN(26/10/2017)



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