



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2017

CORAM

THE HON'BLE Mr. JUSTICE R. SURESH KUMAR
W.P. (MD) No.2777 of 2017

WEB COPY

K. Shanmugasundaram

... Petitioner

-vs-

1. The Director General (Highways)
Office of the Director General,
Chepauk,
Chennai - 5.
 2. The Chief Engineer (General)
Highways Department,
Chepauk, Chennai - 5.
 3. The Superintending Engineer,
Highways (Construction & Maintenance)
Tuticorin
 4. The Divisional Engineer,
Highways Department (Construction & Maintenance)
Tuticorin
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondent herein to prepare the promotion Panel to the post of Road Inspector Grade I only on the basis of Merit Ability and only if both merit and ability are equal then consider the seniority as contemplated in the G.O.Ms.1858 and G.O.Ms.856 by considering the petitioners Representation dated 07 02.2017.

For Petitioner : Mr. Niranjana S. Kumar

For Respondents : Mr. K. P. Krishnadoss
Government Advocate

O R D E R

The prayer in the writ petition is for a Writ of Mandamus directing the respondents herein to prepare the promotion Panel to the post of Road Inspector Grade I only on the basis of Merit Ability and only if both merit and ability are equal then consider the seniority as contemplated in the G.O.Ms.1858 and G.O.Ms.856 by considering the petitioners Representation dated 07 02.2017.

2. Mr. K. P. Krishnadoss, Government Advocate, accepts notice for the respondents. By consent of both sides, the writ petition is taken up for final disposal at the stage of admission.



3. Though the petitioner has come up with the aforesaid prayer in this writ petition, the learned counsel for the petitioner would submit that to redress the grievance of the petitioner, regarding his promotional prospects, he has already given a representation on 07.02.2017 to the 4th respondent and if the said representation is considered and an order is passed on merits and in accordance with law, the petitioner would be satisfied.

4. Considering the said submission made by the learned counsel for the petitioner and after hearing the learned Government Advocate for the respondents, this Court is inclined to dispose of the writ petition with the following direction:

That the petitioner's representation dated 07.02.2017 shall be considered by the 4th respondent, in the light of the Government orders referred therein and also the plea raised therein by the petitioner and after considering the same, suitable orders with reasons have to be passed, on merits and in accordance with law and the same shall be communicated to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

No costs.

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

To

1. The Director General (Highways)
Office of the Director General,
Chepauk,
Chennai - 5.
2. The Chief Engineer (General)
Highways Department,
Chepauk,
Chennai - 5.
3. The Superintending Engineer,
Highways (Construction & Maintenance)
Tuticorin
4. The Divisional Engineer,
Highways Department (Construction & Maintenance)
Tuticorin

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 9207

RR

AE/CM_MSA/SAR2/09.03.2017/2P/6C

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W.P. (MD) No. 2777 of 2017
17.02.2017