

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

Writ Petition No. 28351 of 2018

M.Marimuthu

.. Petitioner

Vs.

1. The Principal Director,
Highways Department,
PWD Complex, Kamarajar Salai,
Chennai-600005
2. The Joint Director (Administration)
Office of the Principal Director,
Highways Department,
PWD Complex, Kamarajar Salai,
Chennai-600005.
3. The Divisional Engineer (Highways),
Construction and Maintenance,
Virudhunagar, Virudhunagar District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the case of the petitioner for promotion to the post of Junior Draughting Officer in the light of the proposals forwarded by the third respondent in Na.Ka.No.151/2017/Aa2 dated 16.02.2017 and grant him all consequential benefits.

For Petitioner : Mr.P.Rajendran
For Respondents : Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the first respondent to consider the case of the petitioner for promotion to the post of Junior Draughting officer in the light of the proposals forwarded by the third respondent in

Na.Ka.No.151/2017/Aa2 dated 16.02.2017 and grant him all consequential benefits.

2. The case of the petitioner is that he is working as a road inspector in the Highways Department. He is having Diploma in Civil Engineering qualification and he is also having experience of 17 years in the Department. In such premises, he is entitled to be considered for promotion to the post of Junior Drafting officer inasmuch as for the promotion to the post of Junior Drafting Officer, the persons working in the Road Inspector Category with the Diploma in Civil Engineering and having necessary service experience constitute a feeder cadre. The same have been ignored in earlier occasions. The petitioner, after obtaining copy of relevant rules, namely, Tamil Nadu Highways Engineering Subordinate Service Rules under Right to Information Act submitted a representation to the Chief Minister's Cell on 26.08.2016. Thereafter, the first respondent, by the proceedings dated 06.02.2017, sought for willingness from the qualified road inspectors with Diploma in Civil Engineering and five years experience and directed the concerned authorities to obtain willingness for promotion to the post of Junior Draughting Officer. Pursuant to the same, the third respondent obtained willingness from the petitioner and forwarded a proposal enclosing the particulars of the petitioner. But, no decision on the same having been made, he has come to this Court seeking for the aforesaid relief.

3. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

4. Considering the facts and submissions and also the nature of relief sought for, this Court is of the view that this Writ Petition can be disposed of at the stage of admission, without seeking reply affidavit from the respondents.

5. Accordingly, this Writ Petition is disposed of, with a direction to the first respondent to take an informed and considered decision on the proposal which has been forwarded by the third respondent vide proceedings dated 16.02.2018, within a period of eight weeks from the date of receipt of a copy of this order and intimate the decision taken thereof to the petitioner. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

arr

To

1. The Principal Director,
Highways Department,
PWD Complex, Kamarajar Salai,
Chennai-600005

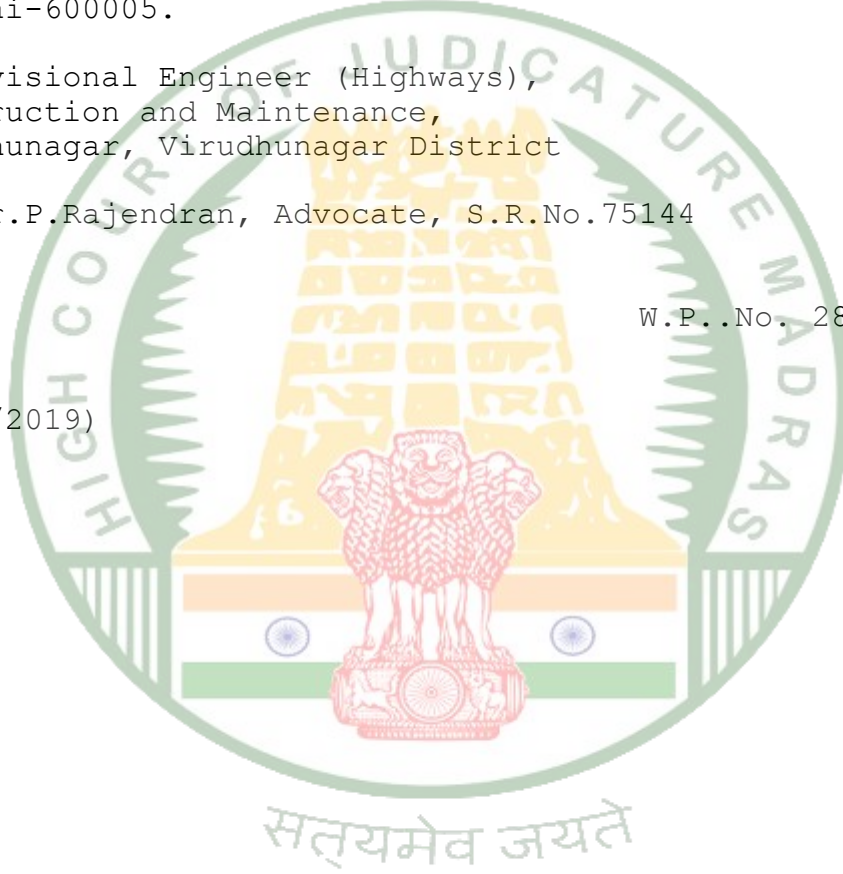
2. The Joint Director (Administration)
Office of the Principal Director,
Highways Department,
PWD Complex, Kamarajar Salai,
Chennai-600005.

3. The Divisional Engineer (Highways),
Construction and Maintenance,
Virudhunagar, Virudhunagar District

+1cc to Mr.P.Rajendran, Advocate, S.R.No.75144

W.P..No. 28351 of 2018

GMI (CO)
GSP (03/01/2019)



WEB COPY