



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.8147 of 2019

K.Panchavarnam

... Petitioner

vs.

1.The Chief Engineer,
Highways Department,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2.The Chief Director,
Highways Department,
Guindy,
Chennai - 600 025.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider and pass orders on the petitioner's representation dated 28.11.2018 for inclusion of his name for promotion to the post of Junior Engineer in the Highways Department based on the proceedings issued by the 1st respondent in No.9111/Nir2(2)/2015 dated 11.08.2015 so as to enable him to get service and monetary benefits.

For Petitioner : Mr.A.S.Vaigunth

For Respondents : Mrs.J.Padmavathy Devi
Special Government Pleader

O R D E R

The petitioner has come forward with this writ petition, seeking a direction to the second respondent for inclusion of his name for promotion to the post of Junior Engineer in the Highways Department, based on the proceedings issued by the 1st respondent in No.9111/Nir2(2)/2015 dated 11.08.2015 and to grant consequential monetary benefits.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for the respondents. By consent, the writ petition itself is taken up for final disposal at



the stage of admission.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that though the prayer sought by the petitioner is for consideration of the inclusion of his name in the promotion list, since the petitioner has now attained superannuation, he restricts his prayer for consideration of the petitioner's representation only in respect of monetary benefits.

4. The learned Special Government Pleader appearing for the respondents has also acceded to the said submission and submitted that the petitioner's representation would be considered on merits only in respect of monetary benefits and appropriate orders be passed by the second respondent.

5. In view of the above submission, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 28.11.2018 in respect of monetary benefits alone and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Chief Engineer,
Highways Department,
Ezhilagam, Chepauk,
Chennai - 600 005.

2. The Chief Director,
Highways Department,
Guindy, Chennai - 600 025.

W.P (MD) No.8147 of 2019
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GKG (CO)

TR (08.05.2019) 2P 3C