



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.14169 of 2019

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V.Kumar

... Petitioner

Vs.

1.The Government of Tamil Nadu through its
Additional Chief Secretary,
Secretariat, Chennai.

2.The Secretary,
Highways Department,
Secretariat, Chennai.

3.The Chief Engineer,
Highways Department,
Guindy, Chennai.

4.The Superintending Engineer (Highways),
Madurai Circle, Madurai.

5.The Divisional Engineer (Highways),
Ramanathapuram, Ramnad District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to give promotion to the petitioner to the post of the Road Inspector Grade -II based on proceedings of the first respondent dated 23.11.2018 by considering the representation of the petitioner dated 01.04.2018.

For Petitioner : Mr.J.Anandkumar
For Respondents : Mr.S.Dhayalan,
Government Advocate

ORDER

This Writ Petition is filed to direct the respondents to give promotion to the petitioner as Road Inspector Grade -II based on proceedings of the first respondent dated 23.11.2018, by considering the representation of the petitioner, dated 01.04.2018.

2.According to the petitioner, he was appointed as Salai Paniyalar on 14.11.1997 and his service was regularized on 20.04.1999 by the fourth respondent. The next level of promotion is Road Inspector Grade II. 75% of the post of Road Inspector Grade-II



will be filled up by direct recruitment and the remaining 25% will be filled up by transfer from the post of Gang Masdoor in 3:1 ratio. By G.O.Ms.No.16 dated 21.01.2009, the educational qualification to the post of Road Inspector Grade-II was modified as 10th standard pass. Therefore, the petitioner has completed the said qualification in the year 2012. Thereafter, the respondents did not prepare the promotional panel. Hence, the petitioner made a representation dated 01.04.2019 to consider him for promotion to the post of Road Inspector Grade-II. Since no order is passed thereon, the petitioner has come out with the present Writ Petition.

3.The learned Government Advocate appearing on behalf of the respondents filed counter affidavit stating that the post is filled up in the ratio of 3:1 and that, at present, there are only two vacancies and as and when four vacancies arise, the request of the petitioner will be considered.

4.Considering the submissions of the learned counsel for the petitioner and the learned Government Advocate, this Court directs the respondents to consider the representation of the petitioner dated 01.04.2019, on merits and pass orders, in accordance with law.

5.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Government of Tamil Nadu through its
Additional Chief Secretary,
Secretariat, Chennai.

2.The Secretary,
Highways Department,
Secretariat, Chennai.

3.The Chief Engineer,
Highways Department,
Guindy, Chennai.

4.The Superintending Engineer (Highways),
Madurai Circle, Madurai.



5.The Divisional Engineer (Highways),
Ramanathapuram, Ramnad District.

+1 CC to MR.J. ANANDKUMAR, Advocate (SR-97958[F] dated 13/11/2019)

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