



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP(MD)Nos. 22175 and 22178 of 2018

WP(MD)No. 22175 of 2018

1.Retired Road Inspector Association,
Reg.No.51 of 2015,
Road Inspector Association Building,
Panchayat Union Road, Dindigul
Represented by its General Secretary,
S.M.Jeyseelan

2.R.Karunakaran

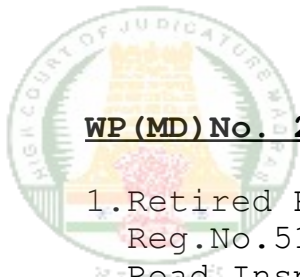
... Petitioners

Vs.

- 1.The Secretary to the Government,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Chennai - 600 009.
- 2.The Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Department,
Secretariat, Chennai - 600 009.
- 3.The Director General,
Highways Department,
HRS Campus,
Guindy, Chennai - 600 025.
- 4.The Director of Rural Development
and Panchayat Department,
Panagal Building,
Saidapet, Chennai - 600 015.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the 1st Respondent to consider the representation of the petitioner dated 14.10.2014 for upgrading the members of the petitioner Association as Road Inspector Grade-I on completion of 5 years of service in the light of the orders passed by this Court in WP(MD)Nos.7738 to 7749 of 2008 dated 12.12.2012 which was upheld by the Bench of this Court in WA(MD)Nos.262 to 273 of 2016 and the SLP filed by the respondents in Diary No.22120 of 2017, which was also dismissed as withdrawn.

**WP (MD) No. 22178 of 2018**

1. Retired Road Inspector Association,
Reg.No.51 of 2015,
Road Inspector Association Building,
Panchayat Union Road, Dindigul
Represented by its General Secretary,
S.M.Jeyseelan

2. R. Rengarajan

... Petitioners

Vs.

1. The Secretary to the Government,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Chennai - 600 009.

2. The Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Department,
Secretariat, Chennai - 600 009.

3. The Director General,
Highways Department,
HRS Campus,
Guindy, Chennai - 600 025.

4. The Director of Rural Development
and Panchayat Department,
Panagal Building,
Saidapet, Chennai - 600 015.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 14.10.2014 for upgradation to the post of Road Inspector Grade-I on completion of 5 years of service by taking into account the Non-provincialised pensionable service rendered by the members of the petitioner Association as regular service for the purpose of selection grade and special grade in the light of the orders passed by this Court in WP(MD)Nos.7738 to 7749 of 2008, dated 12.12.2012 which was upheld by the Bench of this Court in WA(MD)Nos.262 to 273 of 2016 and the SLP filed by the respondents in Diary No.22120 of 2017, which was also dismissed as withdrawn.

For Petitioner
For Respondents

: Mr.R.Rengaramanujam
: Mr.K.Chellapandian,
Additional Advocate General,
Assisted by Mr.V.Anand,
Government Advocate
(in both WPs)

**COMMON ORDER**

These writ petitions have been filed seeking a direction to the 1st respondent to consider the representation of the petitioners dated 14.10.2014 for upgrading the members of the petitioner Association as Road Inspector Grade-I on completion of 5 years of service, in the light of the orders passed by this Court in WA.(MD). Nos.262 to 273 of 2016.

2.Though the first petitioner's representation dated 14.10.2014, raises various issues with regard to the affected parties, the learned counsel for the petitioners now, confines the prayer sought for herein to the effect that the petitioners may be permitted to submit a fresh representation along with all the details indicating each and every member's grievances and the same may be directed to be considered by the respondents, on merits.

3.Such a relief now sought for on the side of the petitioners is agreed by the learned Additional Advocate General appearing for the respondents.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court permits the petitioners to make a fresh representation to the respondents indicating the grievances of each and every members, within a period of two weeks from the date of receipt of a copy of this order and on making such representation, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to any two representatives of the 1st petitioner Association, within a period of four weeks therefrom.

5.Accordingly, both the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar (CO)

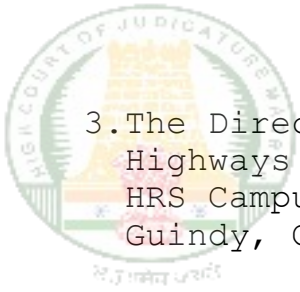
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Sub Assistant Registrar

To

1.The Secretary to the Government,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Chennai - 600 009.

2.The Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Department,
Secretariat, Chennai - 600 009.



3.The Director General,
Highways Department,
HRS Campus,
Guindy, Chennai - 600 025.

4.The Director of Rural Development
and Panchayat Department,
Panagal Building,
Saidapet, Chennai - 600 015.

+2CC TO Mr.R.Rengaramanujam, Advocate, SR No.52477

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.52596

WP (MD) Nos. 22175 and 22178 of 2018
07.03.2019

dsk/rk/sml

SP/05.04.2019/4P.8C