



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.784 of 2018

and

W.M.P. (MD)No.854 of 2018

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K.Karunanidhi

...Petitioner

/Vs./

- 1.The Engineer in Chief,
Water Resources Organization and Chief Engineer (General),
Public Work Department,
Chepauk, Chennai - 600 005.
 - 2.The Engineer in Chief,
Buildings and Chief Engineer (General),
Public Work Department,
Chepauk,
Chennai - 600 005.
 - 3.The Executive Engineer,
Public Works Department,
Building Construction and Maintenance Division,
Pudukkottai.
- ...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned orders passed by the 1st respondent in his proceedings in Sayalmurai No.S.3(1)/54800/2015/ dated.28/04/2017 for the period of 2015-2016 and subsequent order passed by the 2nd respondent in No.Sayalmurai No.S 3(1)/18138/2017/DT.26/12/2017 for the period of 2016-2017 quash the same as illegal, consequently, direct the respondents to include the name of the petitioner immediately above his junior P.Ramachandran (serial No.8) in the promotion panel list for the period of 2015-2016 for the post of Assistant with all monitory and attended benefits.

For Petitioner : Mr.R.Rajaraman

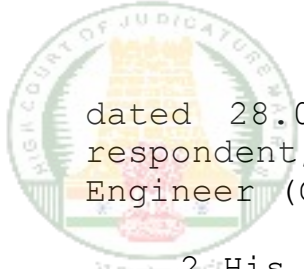
For Respondents : Mr.V.Om Prakash

Government Advocate

ORDER

The petitioner has challenged proceedings of the first respondent, Engineer in Chief of the Public Works Department,

<https://hcservices.mca.gov.in/hcservices/>



dated 28.04.2017 and consequential order passed by the second respondent, who is the Engineer in Chief, Building and Chief Engineer (General), Public Works Department, dated 26.12.2017.

2.His plea is to the effect that, bearing in mind his seniority, he should be included in the panel for the period 2015-2016 above one P.Ramachandran, who has been placed at Serial No.8 in the panel.

3.The petitioner assumed the role of Junior Assistant in the respondent Department with effect from 01.01.2009 and according to him, the impugned order dated 28.04.2017, wherein the name of the petitioner does not figure in the panel for the year 2016-17 is erroneous.

4.Pending writ petition, the list has been amended vide proceedings dated 28.06.2018 of the first respondent to place the petitioner at Serial No.33A thereof. Not content with that, the petitioner would state that he is to be placed at Serial No.7A, above P.Ramachandran, insofar as the date of eligibility of the said P.Ramachandran is 22.07.2014, whereas the date of eligibility of the petitioner herein is 06.01.2011.

5.The aforesaid proceedings provide for some clarity in the matter, insofar as the relevant date to be reckoned is the date of appointment in the organization, which is 01.01.2009 in the case of the petitioner and 01.01.2007 in the case of P.Ramachandran.

6.Faced with the above admitted factual detail, the petitioner would concede that his placement at Serial No.33A is correct and calls for no interference. This Writ Petition is thus dismissed.

7.He seeks consequential service benefits that he may request by way of representation before the concerned authority in the Public works Department and he is granted liberty in this regard. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The Engineer in Chief,
Water Resources Organization and Chief Engineer (General),
Public Work Department,
Chepauk, Chennai - 600 005.
 - 2.The Engineer in Chief,
Buildings and Chief Engineer (General),
Public Work Department,
Chepauk,
Chennai - 600 005.
 - 3.The Executive Engineer,
Public Works Department,
Building Construction and Maintenance Division,
Pudukkottai.
- +1 CC to M/s.R. RAJARAMAN, Advocate (SR-34665[F] dated 16/11/2021)
+1 CC to M/s.SPL GP (SR-34775[F] dated 17/11/2021)

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KMV(CO)
SB(02.12.2021) 3P 6C