



W.P.No.1304 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.1304 of 2022

G.Yazharasan

... Petitioner

VS.

1. The Chief Engineer,
Agriculture Engineering,
Agriculture Engineering Department,
487, Anna Salai, Nandanam,
Chennai – 600 035.

2. The Executive Engineer,
Agriculture Engineering,
Agriculture Engineering Department,
487, Anna Salai, Nandanam,
Chennai – 600 035.

3. The Assistant Executive Engineer,
Agriculture Engineering,
Agriculture Engineering Department,
487, Anna Salai, Nandanam,
Chennai – 600 035.

4. The Assistant Executive Engineer,
Agriculture Engineering,
Agriculture Engineering Department,
Panjupettai,
Kancheepuram – 631 502.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner for promotion to the post of Junior Engineer based on his eligibility and seniority by following year wise panel from the panel year 2010-2011 and considering his eligibility as on the crucial date of the relevant panel year, with consequential and other attendant benefits, by considering the representation submitted by the petitioner dated 04.01.2022, within a time frame to be fixed by this Court.

For Petitioner : Mr.A.Maheshnath

For Respondents : Mr. T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner for promotion to the post of Junior Engineer based on his eligibility and seniority by following year wise panel from the panel year 2010-2011 and considering his eligibility as on the crucial date of the relevant panel year, with consequential and other attendant benefits, by considering the representation submitted by the petitioner dated 04.01.2022, within a time frame to be fixed by this Court.



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2. According to the petitioner, the petitioner was appointed as Assistant Driller in Agriculture Engineering Department in the year 1991. Subsequently, he was promoted as Assistant Agriculture Engineer (Foreman) in the year 2000 and further, he was promoted as Agriculture Engineering Foreman on 11.10.2006. Now, the petitioner was working as Agriculture Engineering Foreman (Supervisor) in the office of the Assistant Executive Engineer, Kancheepuram/the 4th respondent herein. According to the petitioner, as per the Special Rules, he was eligible for promotion to the post of Junior Engineer. However, the respondents have not promoted the petitioner to the said post. Therefore, the petitioner has made a representation dated 04.01.2022 to the respondents seeking promotion to the post of Junior Engineer based on his eligibility and seniority by following year wise panel from the panel year 2010-2011. The said representation is still pending, no order has been passed. Hence, he has filed the instant writ petition before this Court.

3. The learned Additional Government Pleader appearing for the respondents submitted that there is a currency of punishment of stoppage of next increment for three months issued by the Executive Engineer



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(Agricultural Engineering), Chennai by the Proceedings No.A/819/2020, dated 08.10.2021, his name has not been considered for promotion.

4. In view of the above said submissions made by the parties, considering the limited scope of prayer and without expressing any opinion on merits, this Court is inclined to direct the 1st respondent to consider the petitioner's representation dated 04.01.2022 and pass appropriate orders on merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order. If any additional particulars is required, the same shall be submitted by the petitioner before the 1st respondent, within a period of two weeks from the date of receipt of copy of this order.

5. With the above directions, the writ petition stands disposed of. No costs.

24.06.2022

Index : Yes / No
Speaking Order : Yes / No
dm



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To

WEB COPY

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D.KRISHNAKUMAR. J

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