



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.7179 of 2022

and

W.M.P.Nos.7201, 7205 and 7206 of 2022

1.S.Suriyakumar
2.S.Palanisamy
3.K.Balvannan
4.A.Nagoor Mohideen
5.P.Sivasubramanian
6.A.Kalpana

... Petitioners

vs.

1.State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Highways and Minor Ports Department,
Fort St. George, Secretariat,
Chennai 600 009.

2.The Director General
Highways Department,
Guindy,
Chennai 600 025.

3.The Joint Director (Administration)
Office of Director General
Highways Department,
Guindy,
Chennai 600 025.

4.The Chairman,
Tamil Nadu Public Service Commission,
VOC Nagar, Park Town,
Chennai 600 003.

... Respondents

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 petitioners for promotion to the post of Junior Drafting Officer (JDO) by drawing panel from the year 2017, by considering the feeder post of Road Inspector, in accordance with Section 7 of Tamil Nadu



Government Servants (Condition of Service) Act, prior to fill up the post by direct recruitment, with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

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For Petitioners: Mr.G.Sankaran

For Respondents: Mr.A.M.Ayyadurai
Government Advocate (for R1 to R3)

Mr.V.Govardhanan (for R4)

O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioners for promotion to the post of Junior Drafting Officer (JDO) by drawing panel from the year 2017, by considering the feeder post of Road Inspector, in accordance with Section 7 of Tamil Nadu Government Servants (Condition of Service) Act, prior to fill up the post by direct recruitment, with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

3. According to the petitioners that the petitioners were appointed as Road Inspector Gr.II in Highways Department in the year 2009 and subsequently, they were promoted as Road Inspector Gr.I on various dates. Thereafter, the petitioners submitted representation through their association to grant promotion prior to any such direct recruitment, but the same was not considered.

4. The learned counsel appearing for the petitioners would submit that the Notification No.06/2021 dated 05.03.2021 had been issued by the Tamil Nadu Public Service Commission to fill up 183 vacancies to the post of JDO by direct recruitment from open market. Accordingly, all the vacancies to the post of JDO sought to be filled up by direct recruitment without considering the claim of the petitioners. Therefore, the petitioners made a representations dated 18.06.2018 and 25.09.2018 to the 2nd respondents to grant promotion to them to the post of Junior Drafting Officer (JDO). However, till date no order has been passed. Hence, the present writ petition has been before this Court.



5. The learned Government Advocate appearing for the 1st to 3rd respondents submitted that the representations of the petitioners would be duly considered by the authorities concerned and appropriate orders will be passed in accordance with law, within a time frame as fixed by this court.

6. Considering the said fact and also considering the limited scope of prayer, this Court is inclined to direct the 2nd respondent to consider the petitioners' representations dated 18.06.2018 and 25.09.2018 in respect of Claim No.4 and pass appropriate orders on its own merits and in accordance with law, as expeditiously as possible, within a period of two weeks from the date of receipt of a copy of this order. The petitioners shall make an additional particulars along with the said representations, if so advised immediately on receipt of this order copy before the 2nd respondent.

7. With the above direction, the writ petition stands disposed of at the admission stage itself. Consequently, the connected miscellaneous petitions are closed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Highways and Minor Ports Department,
Fort St. George, Secretariat,
Chennai 600 009.

2.The Director General
Highways Department,
Guindy,
Chennai 600 025.

3.The Joint Director (Administration)
Office of Director General
Highways Department,
Guindy,
Chennai 600 025.



4.The Chairman,
Tamil Nadu Public Service Commission,
VOC Nagar, Park Town,
Chennai 600 003.

WEB COPY

+1cc to Mr.V.Govardhanan, Advocate Sr.20702
+1cc to the Government Pleader Sr.21066
+1cc to Mr.G.Sankaran, Advocate Sr.20806

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gmr[co]
srg 06/04/2022