



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.7824 OF 2014

1. P.Arul
2. M.Gopal
3. K.Vinodh
4. G.Thamilselvan
5. G.Madhavaraj
6. S.Punitha
7. C.Govindasamy
8. R.Lakshmanan
9. M.Ashok

... Petitioners

Vs.

1. The Director General (Highways),
Chepauk, Chennai-5.
2. The Chief Engineer (General),
Highways Department,
Chepauk, Chennai-5.
3. The Divisional Engineer,
Highways Department, Krishnagiri.
4. V.Lakshmanan
5. R.Ramalingam
6. H.Gopinathan
7. M.Prakasam
8. K.Madeswaran
9. V.Shanmugam
10. A.Venkadachalam
11. V.Muthusamy
12. S.E.Perumal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for records relating to the third respondent made in Se.Mu.Ka.No.47/2014/B3-1 dated 19.02.2014, to quash the



same in so far as respondents 4 to 12 are concerned and to consequently direct the respondents 1 to 3 to fill up those vacancies of Road Inspector Grade-I as per Rules and on merits by considering the claim of the petitioners herein.

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For Petitioners : Mr.L.Chandrakumar
For Respondents : Mr.M.Bindran
Additional Government Pleader

ORDER

The order of promotion to the post of Road Inspector Grade-I issued in proceedings dated 19.02.2014 is sought to be quashed in the present writ petition.

2. The writ petitioners are working as Road Inspectors Grade-I. The grievance of the writ petitioners are that as per the amended rules issued in G.O.Ms.No.856 by Public Works Department on 01.06.1977, promotion to the category of the Road Inspector Grade-I is to be made from amongst the post of Road Inspector Grade-II, who have to be in not less than 5 years of service. Promotion shall be made on the ground of eligibility and seniority being considered only with merit and eligibility approximately equal.

3. The learned counsel for the writ petitioners mainly contended that there was no assessment of merit and eligibility before passing the order of promotion in proceedings dated 19.02.2014 and therefore, the promotion order is to be set aside.

4. The learned Additional Government Pleader appearing on behalf of the respondents made a submission that the promotion was granted in accordance with the seniority, and there is no evidence to establish that assessment was not made. When the eligibility criteria are complied with and based on such criteria the employees are included in the panel and accordingly, promotions were granted. Thus, there is no infirmity.

5. This Court is of the considered opinion that promotion to the post of Road Inspector Grade-I, which falls under Group-C. That apart, the promotion was made in the year 2014, and promoted employees are working for the past about 8 years. Further, the writ petitioners were also promoted subsequently to the post of Road Inspector Grade-I and after this length of time, this Court is not inclined to unsettle the settled promotion. With reference to other grievance, if any exists the



petitioners are at liberty to approach the competent authority for redressal.

6. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Jeni/Ab

To

1. The Director General (Highways),
Chepauk, Chennai-5.
2. The Chief Engineer (General),
Highways Department,
Chepauk, Chennai-5.
3. The Divisional Engineer,
Highways Department, Krishnagiri.

+lcc to Mr.L.Chandrakumar, Advocate, S.R.No.33831

W.P.No.7824 of 2014

PL(CO)
RLP(21/06/2022)