



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6034 of 2019

S.Rajendran

... Petitioner

Vs.

1.The Principal Secretary to Government,
Public Works Department,
Secretariat,
Chennai-9.

2.The Engineer-in-Chief/Chief Engineer (General),
Water Resources Organization,
Public Works Department,
Chepauk,
Chennai-5.

3.The Executive Engineer,
Cauvery Basin Division,
Water Resources Organization,
Public Works Department,
Thanjavur.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to give notional promotion for the post of Work Inspector to the petitioner with effect from 02.08.1984 and on the basis of G.O.Ms.No.12, Public Works (C2) Department dated 20.01.2009 and to pay monetary benefits thereof within a time limit stipulated by this Court.

For Petitioner : Mr.V.Thirumal

For Respondents : Mr.A.K.Manikkam
Special Government Pleader

O R D E R

The relief sought for in the present Writ Petition is to direct the respondents to give notional promotion for the post of Work Inspector to the petitioner with effect from 02.08.1984, on the basis of G.O.Ms.No.12, Public Works (C2) Department dated 20.01.2009 and to pay monetary benefits thereof within a time limit stipulated by this Court.



2. The petitioner states that he was appointed as Head Coolie in the office of Assistant Engineer, Public Works Department. His services were regularised with effect from 01.03.1972. On completion of 10 years of service, selection grade was awarded to him. Thereafter, special grade was granted to the petitioner. On completion of 30 years of service, the petitioner was given super grade and he was working as Irrigational Assistant. The grievance of the petitioner is that the promotion to the post of Work Inspector Grade-II was not given to the petitioner on 02.08.1984 and it was granted to him on 21.04.2010.

3. The fact remains that the petitioner was allowed to retire from service on 30.06.2010 and he has filed the present writ petition seeking retrospective promotion in the post of Work Inspector Grade-II with effect from 02.08.1984 in the year 2019. Even, at the time of filing the writ petition, the writ petitioner was aged about 67 years. He seeks notional promotion with effect from 02.08.1984. During the relevant point of time, the petitioner was awarded special grade, selection grade and super grade, in lieu of stagnation. When the selection grade, special grade and super grade were granted to the petitioner and thereafter, he was promoted as Work Inspector Grade-II in the year 2010, now after a lapse of nine years from the date of retirement, the petitioner has filed the present writ petition seeking notional promotion in the post of Work Inspector Grade-II with effect from 02.08.1984, which is not only belatedly, but his claim is stale and cannot be considered.

4. Accordingly, the Writ Petition stands dismissed on the ground of merits and latches. No costs.

Sd/-

Assistant Registrar(P & A)

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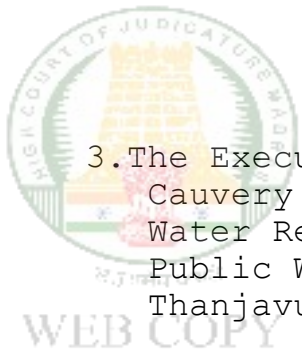
Sub Assistant Registrar(CS)

ssb

To

1.The Principal Secretary to Government,
Public Works Department,
Secretariat, Chennai-9.

2.The Engineer-in-Chief/Chief Engineer (General),
Water Resources Organization,
Public Works Department,
Chepauk, Chennai-5.



3.The Executive Engineer,
Cauvery Basin Division,
Water Resources Organization,
Public Works Department,
Thanjavur.

+1 CC to M/s.V. THIRUMAL, Advocate (SR-19409[F] dated 19/04/2022)

+1 CC to M/s.SPL.GP (SR-19355[F] dated 19/04/2022)

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18.04.2022

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