



W.P.No.11247 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.11247 of 2016

1.B.Jambulingam

2.R.Vijayaraghavan

...Petitioners

-Vs-

1.The Chennai Metropolitan Water
Supply & Sewerage Board,
Rep. by its Chairman,
Pumping Station Road,
Chintadripet, Chennai - 600 002.

2.The Manager (Personnel & Administration),
The Chennai Metropolitan Water
Supply & Sewerage Board,
Pumping Station Road,
Chintadripet, Chennai - 600 002.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to determine and fix the seniority of the petitioners in the cadre of Executive Engineer from 31.03.2000 in the proper places pursuant to the order of the Hon'ble Supreme Court dated 20.04.2010 in Civil Appeal No.5490 of 2005 and



W.P.No.11247 of 2016

consequently promote them notionally in the post of Superintendent Engineer on par with their junior and grant all service and monetary benefits including revision of pension. (*Prayer amended vide order dated 03.01.2023 in W.M.P.No.30106 of 2022 in W.P.No.11247 of 2016*)

For Petitioners : Mr.M.Muthappan

For Respondents : Mr.Krishna Ravindran

ORDER

The limited prayer sought for in the present Writ Petition is for a direction to the respondents to determine and fix the seniority of the petitioners in the cadre of Executive Engineer from 31.03.2000 in the proper places pursuant to the order of the Hon'ble Supreme Court dated 20.04.2010 in Civil Appeal No.5490 of 2005 and consequently promote them notionally in the post of Superintendent Engineer on par with their junior and grant all service and monetary benefits including revision of pension.

2. This Court is of the view that such a claim requires to be considered by the respondents and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the petitioners



W.P.No.11247 of 2016

are granted liberty to give a fresh representation to the respondents ventilating their grievances, with a consequential direction to the respondents to consider it within a stipulated time, the ends of justice could be secured.

3. In the light of the above observation, the petitioners are granted liberty to give a fresh representation to the respondents herein, ventilating their grievances and on receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioners herein and it is open to the respondents to consider it on its own merits.

4. With the above direction, this writ petition stands disposed of. No costs.

03.01.2023

Index:Yes/No
Internet:Yes/No
hvk



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To



W.P.No.11247 of 2016

M.S.RAMESH,J.

hvk

- 1.The Chairman,
Chennai Metropolitan Water
Supply & Sewerage Board,
Pumping Station Road,
Chintadripet, Chennai - 600 002.
- 2.The Manager (Personnel & Administration),
The Chennai Metropolitan Water
Supply & Sewerage Board,
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W.P.No.11247 of 2016

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