



WEB COPY



Writ Petition No.3190 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3190 of 2023

and

W.M.P.No. 3254 of 2023

1. Er.K.Murugan
2. Er.S.Manmathan
3. Er.R.Pandy
4. Er.S.Gopalakrishnan
5. Er.P.Sundararajan

... Petitioners

Vs.

1. The Additional Chief Secretary to Government,
Water Resources Department,
The Secretariat,
Chennai – 600 009.
2. The Principal Secretary to Government,
Public Works Department,
The Secretariat,
Chennai – 600 009.
3. The Additional Chief Secretary to Government,
Finance Department,
The Secretariat,
Chennai – 600 009.
4. The Secretary to Government,
Human Resources Management Department,
The Secretariat,
Chennai – 600 009.



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5. The Engineer-in-Chief & Chief Engineer (General),
Water Resources Department,
Chepauk,
Chennai – 600 005.

6. The Engineer-in-Chief & Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai – 600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus directing the respondents to consider the representations of the petitioners dated 07.12.2022, 08.12.2022, 09.12.2022, 15.12.2022, 16.12.2022, and accordingly promote them to the post of Special Superintending Engineer in the Water Resources Department with the effect from date of issuance of G.O.(D)No.90 PW(A2) Department dated 23.09.2022 wherein the juniors of Petitioners have been promoted.

For Petitioners : Mr.Naveen Kumar Murthi

For Respondents : Mrs.Indumathi
Government Advocate

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representations made by the petitioners wherein the petitioners are seeking for promotion to the post of Special Superintending Engineer in the Water Resources Department on par with the juniors.



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2. Heard Mr.Naveen Kumar Murthi, learned counsel for petitioners and Mrs.Indhumathi, learned Government Advocate, appearing for respondents.

3. The case of the petitioners is that they joined the Public Works Department as Assistant Engineers. Subsequently, they were promoted as Assistant Executive Engineers and Executive Engineers. The further case of the petitioners is that by virtue of G.O.Ms.No.158, dated 01.11.2021, there was a bifurcation between the Public Works Department and Water Resources Department. Option was also called for by the Engineers who were recruited to opt for work either in the Public Works Department or in the Water Resources Department. The petitioners opted to work in the Water Resources Department. The name of the petitioners were included in the panel for promotion to the post of Special Superintending Engineers by the Water Resources Department.

4. The grievance of the petitioners is that the petitioners are yet to be considered for promotion to the post of Special Superintending Engineers eventhough their juniors have been promoted. Hence representations were made requesting for the promotion of the petitioners



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to the post of Special Superintending Engineers with effect from the date of issuance of G.O.Ms.No.90, dated 23.09.2022. Since the same was not considered, the present writ petition has been filed by the petitioners seeking for appropriate directions.

5. Taking into consideration the limited relief sought for by the petitioners and without going into the merits of the case, there shall be a direction to the first respondent to consider the various representations made by the petitioners and deal with the same on its own merits and in accordance with law and in the light of the relevant Government Orders and take a decision within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioners are directed to make fresh representations to the first respondent along with all the relevant documents and also a copy of this order.

This Writ Petition is disposed of with the above direction. No costs. Consequently connected miscellaneous petitions are closed.

07.02.2023

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

rap/gm



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N.ANAND VENKATESH, J

rap

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