



WEB COPY



W.P.No.1934 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM :

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.1934 of 2024

1. M.Karthikeyan
2. D.Krishnan
3. N.Senthil Kumar
4. S.Saravanan
5. J.Ravi Kumar
6. P.Muthu Bharathi

...Petitioners

-Vs-

- 1) The Additional Chief Secretary to Government,  
Municipal Administration and Water Supply Department,  
Fort., St., George,  
Chennai-600 009.
- 2) The Commissioner,  
Corporation of Chennai,  
Rippon Building,  
Chennai-600 003.
- 3) The Assistant Commissioner (GA & P)  
General Department,  
Greater Chennai City Corporation,  
Rippon Building, Chennai-600 003.



W.P.No.1934 of 2024

4) V.Rajacholan  
5) V.Muthukumar

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent consider and pass appropriate orders on the petitioner's joint representation dated 04.12.2023 and 15.12.2023 on merits and in accordance with law regarding fixation of seniority of the fourth and fifth respondents and their proposed accelerated promotion over and above the petitioner's in violations of G.O.Ms.No.96, Municipal Administration & Water Supply (MC-3) Department dated 29.07.2016.

|                       |                                            |
|-----------------------|--------------------------------------------|
| For Petitioner        | : Mr.G.Bala and Daisy                      |
| For Respondent 1      | : Mr.K.H.Ravikumar,<br>Government Advocate |
| For Respondents 2 & 3 | : Mr.S.Gopinathan,<br>Standing Counsel     |

### **ORDER**

This Writ Petition is filed for direction to the 1st respondent to consider and pass appropriate orders on the petitioners' joint representations dated 04.12.2023 and 15.12.2023 on merits regarding the fixation of seniority.



W.P.No.1934 of 2024

2. All the petitioners were appointed on 20.03.2013 in the Electrical Department of the Corporation of Chennai. They are all due for promotion to the post of Assistant Executive Engineer (Electrical). For become eligible to be promoted to the post of Assistant Divisional Engineer, Junior Engineers and Assistant Engineers are treated as feeder category. As per prevailing rule, only Assistant Engineers who have only five years of experience and combined with the Degree of Bachelor of Engineering and Junior Engineers with 10 years of experience and as such Diploma can be considered for promotion to the post of Assistant Executive Engineers. According to the petitioners the said rule is violated and the 2nd respondent is taking steps to promote the fourth and fifth respondents over and above the petitioners. Some of the petitioners approached this Hon'ble Court in W.P.No.3756 of 2020. This court by order dated 21.12.2023, directed the respondents to fix the seniority as per merit and not as per communal roster and make promotions only thereafter. However, the proposal dated 29.12.2023 has been prepared wherein the fourth and fifth respondents granting relaxation of rules, granted accelerated promotion to Assistant Executive Engineer over and above. Therefore, the petitioners submitted



W.P.No.1934 of 2024

detailed representations subsequent to the final order passed by this Court dated 21.12.2023 and they are pending.

3. Considering the above facts and circumstances, the 2nd respondent is directed to consider the representations of the petitioners after giving opportunity to the petitioners as well as the 4th and 5th respondents within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition stands disposed of.

No costs.

01.02.2024  
(1/2)

Index : Yes/No  
Internet: Yes/No  
gvn



W.P.No.1934 of 2024

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**G.K.ILANTHIRAIYAN,J.**  
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W.P.No.1934 of 2024

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