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W.P.No.10416 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2024

CORAM:

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

W.P.No.10416 of 2024

M.Shafiullah Khan

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
Rep by its Additional Chief Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai-9
- 2.The Director of Medical Education,
Poonamallee High Road,
Kilpuak, Chennai-10
- 3.The Director,
Institute of Social Obstetrics and Government,
Kasturba Gandhi Hospital for Women and Children,
Chepauk, Triplicane, Chennai-5

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records of the first respondent in Letter No.5187946/E1/2023-1, dated 06.03.2024 and quash the same and consequently directing the first and second respondents to upgrade the petitioner from the post of Junior Engineer (Steam Laundry) to that of Assistant Executive Engineer(Equipment & Maintenance) with all service and monetary



W.P.No.10416 of 2024

benefits.

For Petitioner : Mr.J.Vinoth

For Respondents : Mr.M.Bindran,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 06.03.2024 thereby rejecting the request made by the petitioner for upgradation to the post of Assistant Executive Engineer.

2. The petitioner was initially appointed as Refrigeration Mechanic on 24.02.1988 in the Government General Hospital, Chennai. His service was regularised and subsequently he was promoted as Junior Engineer. Thereafter, the petitioner submitted representation for promotion to the post of Assistant Executive Engineer. The petitioner's name was also included in the panel for promotion to the post of Assistant Executive Engineer. However, the petitioner was not promoted. Therefore, the petitioner once again submitted representation and the



W.P.No.10416 of 2024

same was not considered and the petitioner approached this Court. This Court directed to consider the representation submitted by the petitioner. The request made by the petitioner was rejected on the ground that the proposal for framing of adhoc rules for the post of Assistant Executive Engineer is under consideration of the Government. Therefore, the request made by the petitioner shall be considered after framing of adhoc rules for the post of Assistant Executive Engineer.

3. The learned Additional Government Pleader appearing for the respondents submitted that proposal was sent to the Government and it is pending for consideration and the adhoc rules will be framed within a period of six months.

4. In view of the above submission, the first respondent is directed to frame adhoc rules for the post of Assistant Executive Engineer (Equipment and Maintenance) within a period of three months from the date of receipt of copy of this order. Thereafter, the respondents are directed to consider the case of the petitioner for promotion to the



W.P.No.10416 of 2024

post of Assistant Executive Engineer, if he is otherwise qualified to the said post.

5. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

23.07.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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W.P.No.10416 of 2024

To

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W.P.No.10416 of 2024

G.K.ILANTHIRAIYAN, J.

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W.P.No.10416 of 2024

23.07.2024