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W.P.No.17345 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM :

**THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD**

**Writ Petition No.17345 of 2020**  
**and W.M.P.Nos.21465 and 21471 of 2020**

1. G.Chitradevi
2. D.Jamuna
3. U.Umamaheswari
4. S.Hemavathi
5. M.Padmanaban
6. S.Gunavathi
7. S.Indira
8. M.Rajithkumar
9. A.Visu

... Petitioners

Vs.

1. The State of Tamil Nadu,  
Represented by its Principal Secretary to Government,  
Higher Education Department,  
Fort St.George,  
Chennai – 600 009

2. The Director of Technical Education,  
Directorate of Technical Education,  
Sardar Patel Road,  
Guindy, Chennai – 600 025

3. The Principal,  
Government Engineering College,



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Salem – 636 011

4. S.Poongothai  
Computer Science Engineering Department,  
Government College of Engineering,  
Salem – 636 011

5. S.N.Madhesan,  
Civil Engineering Department,  
Government College of Engineering,  
Salem – 636 011

...Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the proceedings of the 3<sup>rd</sup> respondent having Ref.No.270/C2/2019 dated 15.10.2020 and quash the same in so far as the appointment of 4<sup>th</sup> and 5<sup>th</sup> respondents as Artisan Grade – I in the Mechanical Engineering Branch of the Government Engineering College, Salem is concerned and consequently direct the respondents 1 to 3 to consider the petitioners for the post of Artisan Grade – I in the Mechanical Engineering Branch of the Government Engineering College, Salem in the order of seniority in the post of Artisan Grade II in the Mechanical Engineering Branch of the Government Engineering College, Salem.

For Petitioners : Ms.Nalini Chidambaram  
Senior Counsel  
for Ms.C.Uma



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For Respondents 1 to 3 : Mr.C.Jayaprakash  
Government Advocate

For Respondents 4 to 5 : Mr.M.Elango

### **ORDER**

This writ petition has been filed challenging the order passed by the 3<sup>rd</sup> respondent in Ref.No.270/C2/2019 dated 15.10.2020 in so far as the appointment of the 4<sup>th</sup> and 5<sup>th</sup> respondents as Artisan Grade – I in the Mechanical Engineering Branch of the Government Engineering College, Salem and for a consequential direction to the respondents 1 to 3 to consider the petitioners for the post of Artisan Grade – I in the Mechanical Engineering Branch of the Government Engineering College, Salem in the order of seniority for the post of Artisan Grade II in the Mechanical Engineering Branch of the Government Engineering College, Salem.

2. The facts in brief as per the affidavit is as follows:

The petitioners were appointed as Artisan Grade-II in the Mechanical Engineering Branch of the Government College of Engineering, Salem on a scale of pay of Rs.5200-20200 Grade pay of Rs.2,400/-. The 3<sup>rd</sup> respondent issued a circular in Ref.No.270/C2/2019 dated 13.07.2019 stating that four posts of Artisan



Grade-I had fallen vacant due to promotions and the Heads of Departments were asked to inform eligible employees and obtain their application forms by 01.08.2019. The petitioners had applied for the post of Artisan Grade-I and they are fully qualified for the said post. However, they were not included in the panel for promotion to the said post. On 15.10.2020, the 3<sup>rd</sup> respondent had appointed four persons to the post of Artisan Grade-I vide Ref.No.270/C2/2019. In the said proceedings dated 15.10.2020, only two of the promoted individuals were Artisan Grade-II working in the Mechanical Engineering Branch and the other two individuals i.e. 4<sup>th</sup> and 5<sup>th</sup> respondents were from the Computer Science Engineering Branch and the Civil Engineering Branch. Hence, the appointment of the 4<sup>th</sup> and 5<sup>th</sup> respondents to the post of Artisan Grade-I in the Mechanical Engineering Branch ignoring the petitioners is alleged to be illegal. Aggrieved by the order of the 3<sup>rd</sup> respondent, the petitioners have come forward with the present writ petition.

3. The learned senior counsel for the petitioners has filed a reply affidavit. In the reply affidavit, it is mentioned that petitioners Nos. 5, 6, 7 and 9 are yet to be promoted to the post of Artisan Grade-I.



4. In this regard, the learned Government Advocate appearing for the respondents 1 to 3 was directed to get written instructions when the petitioners 5, 6, 7 and 9 will be promoted.

5. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 submitted a written instructions dated 28.11.2024 from the Commissioner of Technical Education and the relevant portion is extracted hereunder:

*“It is submitted that promotion to the post of Artisan Grade I is under the purview of Principal and seniority also maintained at the College level. Petitioners mentioned at Sl.No.5-7 & 9 will be promoted when the vacancy arises at College level.”*

6. Heard the learned counsel on either side and perused the materials available on record.

7. The above written instructions are recorded by this Court. In the future, if any vacancy arises in the said College, the petitioners No.5, 6, 7 & 9 will be given priority and promoted to the post of Artisan Grade – I by the 3<sup>rd</sup> respondent/ the Principal, Government Engineering College, Salem. The 3<sup>rd</sup> respondent after



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appointing the petitioners No.5,6,7 & 9 shall sent the proposal to the 2<sup>nd</sup> respondent for approval of the same.

8. In view of the above submissions made by the learned counsel on either side and based on the above written instructions of the 2<sup>nd</sup> respondent dated 28.11.2024, this writ petition is disposed of with the above observations and direction. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

**06.12.2024**

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Index : Yes/No

Speaking Order :Yes/No

To:

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2. The Director of Technical Education,  
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**J.SATHYA NARAYANA PRASAD,J.**

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