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W.P.No.8463 of 2016

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 09.08.2024**

**CORAM:**

**THE HON'BLE MRS.JUSTICE.N.MALA**

**W.P.No.8463 of 2016**

G.Veerappan

... Petitioner

VS.

1.Union of India, represented by  
Secretary to Government (Transport),  
Chief Secretariat,  
Puducherry.

2.The Managing Director,  
Puducherry Road Transport Corporation,  
Puducherry.

3.The Chairman,  
Puducherry Road Transport Corporation,  
Puducherry.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare the Recruitment Rules for the post of Junior Assistant contained in Notification No.102/PRTC/Admin/ 2008/622 dated 21.08.2008 in so far as it failed to include the category of Watchman in the feeder category for promotion to the post of Junior Assistant in the respondent Corporation is illegal and arbitrary and consequently direct the respondents to suitably amend the Recruitment Rules by making the post of



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Watchman as a feeder category alongwith Sanitary Assistant/Peon and consider the petitioner for promotion to the post of Junior Assistant with all consequential monetary and other benefits.

For Petitioner : Mr.M.Gnanasekar

For R1 & R3 : Mr.R.Sreedhar

For R2 : Mr.A.R.Nixon

\* \* \* \*

### **ORDER**

This writ petition is filed to declare the Recruitment Rules for the post of Junior Assistant contained in Notification No.102/PRTC/Admin/ 2008/622 dated 21.08.2005 in so far as it failed to include the category of Watchman in the feeder category for promotion to the post of Junior Assistant in the respondent Corporation is illegal and arbitrary and consequently direct the respondents to suitably amend the Recruitment Rules by making the post of Watchman as a feeder category alongwith Sanitary Assistant/Peon and consider the petitioner for promotion to the post of Junior Assistant with all consequential monetary and other benefits.

2.The grievance of the petitioner is that the post of watchman alone was not considered as a feeder post in the Recruitment Rules for promotion to the



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post of Junior Assistant, whereas, the post of Sanitary Assistant/Peon were included. According to the petitioner, the scale of pay of the Watchman is as same as the scale of pay of the Sanitary Assistant/Peon and therefore, the Recruitment Rules should be amended to include the post of Watchman as a feeder post for promotion to the post of Junior Assistant. The petitioner gave a representation to the second respondent to amend the Recruitment Rules to the post of Junior Assistant and to give promotion to three Watchmen referred to in the representation dated 16.03.2015. The said representation has not been considered till date.

3.The learned counsel for the petitioner submitted that though other reliefs are claimed in the writ petition it would suffice, if, a direction is issued to the second respondent to consider the representation of the petitioner and pass orders on the same within a time frame stipulated by this Court.

4.The learned counsel for the respondents submitted that the petitioner may be directed to submit a fresh representation so as to consider the same.

5.In view of the submissions made by the respective counsels, the



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petitioner is directed to make a fresh representation to the second respondent, within a period of one week from the date of receipt of a copy of this order and thereafter, the second respondent is directed to pass orders within a period of four weeks on the representation in accordance with law.

6. With the above directions, this writ petition stands disposed of. However, there shall be no order as to costs.

**09.08.2024**

Index : Yes / No

Internet : Yes / No

Speaking order/Non-speaking order  
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To

1. The Secretary to Government (Transport),  
Union of India,  
Chief Secretariat,  
Puducherry.

2. The Managing Director,  
Puducherry Road Transport Corporation,  
Puducherry.

3. The Chairman,  
Puducherry Road Transport Corporation,  
Puducherry.



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**N.MALA, J.**

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