



W.A.No.2631 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2024

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2631 of 2022

J.Madhavi

.. Appellant

Vs

1.The State of Tamil Nadu,
rep. by its Secretary,
Department of Municipal Administration
and Water Supply,
Fort St. George,
Chennai-600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

3.The Deputy Commissioner (Works),
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent to set aside the



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order dated 20.6.2022 passed by the learned Single Judge in W.P.No.35875 of 2019.

For the Appellant : Mrs.V.Srimathi

For the Respondents : Mr.S.Prabhakaran
Government Advocate
for respondent No.1

: Mr.S.Gopinathan
for respondent Nos.2 and 3

JUDGMENT

(Delivered by D.KRISHNAKUMAR,J.)

Heard Mrs.V.Srimathi, learned counsel for the appellant; Mr.S.Prabhakaran, learned Government Advocate for respondent No.1; and, Mr.S.Gopinathan, learned counsel for respondent Nos.2 and 3.

2. The unsuccessful writ petitioner has filed this appeal challenging the order of the learned Single Judge dated 20.6.2022 in W.P.No.35875 of 2019, wherein the following directions were issued:

"That there shall be a direction to the respondent Chennai Corporation to include the name of the



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petitioner in the 2019-2020 panel fit for promotion to the post of Assistant Draughtsman, where, if at all based on the available vacancy, the petitioner's name could not be picked up for want of seniority by taking into account the 25.11.2018 as an eligible date, that can be relaxed. Insofar as the petitioner is concerned, in view of the past service rendered by the petitioner to the Chennai Corporation from 1996, accordingly she shall be selected and appointed to the post of Assistant Draughtsman at the Chennai Corporation service for the panel year 2019-2020 if she is otherwise qualified apart from the aforesaid seniority. Otherwise qualified means her educational qualification alone."

3. On 5.6.2024, this Court passed the following order:

"The learned Standing Counsel appearing for the respondents 2 and 3/Corporation of Chennai has produced a copy of the proceedings in Na.Ka.No.E4/2740/2020 dated 14.03.2024, in and by which the appellant was granted notional promotion as Civil Draughtsmen and the monetary benefits has been granted from the date of joining the post. However, learned Senior Counsel appearing for the appellant would submit that monetary benefits were



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given from the date when her junior was promoted and therefore, prays for appropriate orders.

2. The learned Standing Counsel for the respondents seeks time to verify and get instructions. Post the matter after two weeks."

4. Today, when the writ appeal is taken up for hearing, learned counsel for the Corporation by referring to the very same proceedings of the Commissioner of Chennai Corporation dated 14.3.2024, submitted that the appellant was granted notional promotion as Civil Draughtsman and monetary benefits have been granted from the date of joining the post and no further orders are required to be passed in the present writ appeal.

5. On the other hand, learned counsel for the appellant submitted that monetary benefits are to be given from the date when the appellant's junior was promoted and, in this regard, suitable direction may be issued to the respondent Corporation.

6. On a perusal of the order dated 14.3.2024, we find that the



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name of the appellant was included in the 2019-2020 panel and she was promoted to the post of Assistant Draughtsman and posted in the existing vacancy at South Zone office. The said order says that the appellant is entitled to get monetary benefits from the date of joining the post.

7. When this Court questioned learned counsel for respondent corporation about the non-grant of monetary benefits from the date when appellant's junior was promoted, learned counsel fairly submitted that necessary orders granting notional monetary benefits from the date when appellant's junior was promoted would be passed by the respondent Corporation within the stipulated time. Learned counsel for the appellant is also agreeable for the same.

8. In view of the above, by consent, we pass the following orders:

- (1) The respondent Chennai Corporation is directed to grant notional monetary benefits to the appellant from the date when her junior was promoted.
- (2) The said exercise is to be completed within a



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period of twelve weeks from the date of receipt of a copy of this order.

9. With the above observation, the writ appeal stands disposed of. There shall be no order as to costs. Consequently, C.M.P.No.8699 of 2023 is closed.

(D.K.K., J.) (K.B., J.)
20.06.2024

Index : No
NC : No
bbr
To

- 1.The Secretary,
State of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
- 3.The Deputy Commissioner (Works),
Greater Chennai Corporation,
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