



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.32186 of 2024
and WMP No. 34945 of 2024

1. Manzoor Ahmed
2. S..Mangalesgwari
3. S.Meena
4. G.Chellammal
5. G.Premalatha
6. P.Raghuraman
7. R.Sarojini Bai
8. R.Dasaradan
9. K.Amudha
- 10.Y.Sri Devika Rani
- 11.S.KEsavaraj
- 12.P.Thenmozhi
- 13.T.Jayakumari
- 14.K.Jayanthi
- 15.K.Kottaiswamy
- 16.M.Loganathan
- 17.K.Kanimozhi
- 18.M.Sara Nilofer
- 19.E.Bharathi
- 20.N.Kalpana
- 21.G.Ashok Kumar
- 22.J.S.Kokila Devi
- 23.K.K.Venkatesan
- 24.M.Kalaiselvi
- 25.C.Parthasarathy
- 26.K.Srinivasan



27.L.Ravi Ganesh
28.A Peepika
29.V.S.Ashwin

...Petitioners

Vs.

1. The Vice Chairman,
Chennai Metropolitan Development Authority
Gandhi Irwin Road, Egmore, Chennai
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore, Chennai
3. The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Chennai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider and take appropriate action for filling up the posts of planning Assistant and Junior Planner by making promotion of eligible officials in the feeder cadre like the petitioners before resorting to direct recruitment in the light of the representations made by the petitioners on 04.10.2024 and pass appropriate orders to safeguard their accrued and vested rights in accordance with Rule 30 of the New Service Regulations 2022.

For Petitioner : Mr.V.Vijayashankar

For Respondents : Mrs.K.Mageswari
Standing Counsel for R1 and R2
Mr.M.Bindran



Additional Government Pleader for R3

ORDER

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This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioners on 04.10.2024 wherein the petitioners are seeking to fill up the posts of Planning Assistant and Junior Planner by making promotion of the eligible officials in the feeder cadre like the petitioners in accordance with Rule 30 of the New Service Regulations 2022.

2. Heard Mr.V.Vijayashankar, learned counsel for the petitioner and Mrs.K.Mageswari, learned Standing Counsel for respondents 1 and 2 and Mr.M.Bindran, learned Additional Government Pleader for 3rd respondent.

3. The case of the petitioners is that they are all working as Planning Assistant Grade III and Grade IV respectively. They have put in service ranging from 5 to 17 years. The further case of the petitioners is that under 1980 Regulations, Planning Assistant Grade IV had promotional opportunity to Grade III. Same way, the planning Assistant Grade III had a promotional opportunity to that of Planning



Assistant Grade II. However, the New Regulations were notified by the Circular dated 23.08.2004 by CMDA whereby the planning Assistant Grade III and Grade IV posts have been abolished and the Planning Assistant Grade II is now re-designated as Planning Assistant and Planning Assistant Grade I is re-designated as Junior Planner. That apart, the ratio between the direct recruitment and promotion has also been altered, which has caused detriment to the interest of those, who are already in service.

4. In view of the above, the petitioners submitted their objections / representations to the respondents on 04.10.2024. The same was not considered. In the meantime, steps were taken for direct recruitment to these posts. It is under these circumstances, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and also the nature of grievance that has been expressed by the petitioners, there shall be a direction to the 1st respondent to deal with the representation / objections made by the petitioners on 04.10.2024 and take a decision within a period of eight weeks from the date of receipt of a copy of this order. Till a final decision is taken on the objections / representations made by the petitioners, the further process of direct



recruitment process shall be kept in abeyance. Based on the decision, further course of action can be taken by the respondents.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

30.10.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order

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To

1. The Vice Chairman,
Chennai Metropolitan Development Authority
Gandhi Irwin Road, Egmore, Chennai
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore, Chennai
3. The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Chennai



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N. ANAND VENKATESH, J.
rka

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