



W.P.No.37789 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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S.S. Saravanan

...Petitioner

Vs

1. The Government of Tamil Nadu
Represented by its Additional Chief Secretary
Highways and Minor ports, Secretariat, Fort St.George,
Chennai – 600 009.

2. The Director General
Highways Department, Guindy,
Chennai – 600 025.

3. The Tamil Nadu Public Service Commission,
Represented by Secretary
Frazer Bridge Road, Chennai 600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revise the inter-se seniority of the Assistant Engineers as per the marks basis (Merit) based on the petitioner's representation dated 19.11.2021 and 15.09.2023 in view of the order of the Apex Court and promote the petitioner as Superintendent Engineer and pass appropriate orders.



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For Petitioner : Mr. L. Saha Devan
For Respondents 1 & 2 : Mr. Stalin Abhimanyu
Additional Government Pleader
For Respondents 3 : Mr.R. Bharanidharan
Standing Counsel

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents to revise the inter-se seniority of the Assistant Engineers based on the petitioner's representation dated 19.11.2021 and 15.09.2023 and pass orders.

3. The case of the petitioner is that the petitioner is working as a Divisional Engineer in Highways Department and he is eligible for promotion to the post of Assistant Engineer. It is pertinent to note that more than two writ petitions and Writ Appeals were filed challenging the selection list of Assistant Engineer and the same reached finality by the orders passed by the Apex Court. When this being the case the seniority list was published by the second respondent on 01.01.2004 and the



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petitioner was placed in the Serial No. 376. The grievance of the petitioner is that he has sent a representation to the 3rd respondent on 19.11.2021 to revise the seniority list based on the marks obtained by the petitioner in the examination and the same was forwarded to the second respondent. Thereafter, the petitioner made representation on 15.09.2023 to the second respondent through proper channel. Later the Chief engineer issued a letter dated 18.11.2024 to the second respondent to consider the petitioner's representation. However, there was no progress in the representation till date. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the representation of the petitioner and pass orders.

5. The learned Additional Government Pleader appearing for the respondents submits that they will consider the case of the petitioner on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the



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limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the representation of the petitioner by affording reasonable opportunity of hearing to the petitioner and pass orders on merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order.

7. With the above observations this writ petition stands disposed of. No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn

To.



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V.BHAVANI SUBBAROYAN,J.



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