



W.A(MD)No.1945 of 2024

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 17.10.2024

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A(MD)No.1945 of 2024
and
C.M.P(MD)No.14398 of 2024

1.The Engineer in Chief and
Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai-5.

2.The Chief Engineer,
Public Works Department,
Trichy Region,
Trichy District.

3.The Engineer in Chief and
Chief Engineer (General),
Water Resource Department,
Chepauk,
Chennai-5.

.. Appellants / Respondents

Vs.

S.Sridhar

.. Respondent/Writ Petitioner



W.A(MD)No.1945 of 2024

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order of this Court made in W.P(MD)No.3220 of 2024 dated 01.04.2024.

For Appellants : Mr.PT.Thiraviam
Government Advocate

For Respondent : Mr.Aayiram K Selvakumar

JUDGMENT

(Order of the Court was made by **P.VELMURUGAN., J**)

This Writ Appeal is directed against the order of this Court made in W.P(MD)No.3220 of 2024 dated 01.04.2024.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The respondent filed the Writ Petition before the Writ Court challenging the order passed by the first respondent, dated 05.01.2024 and for consequential direction to promote him based on the seniority list for the year 2019-2020. After



W.A(MD)No.1945 of 2024

considering the facts and materials placed before the Court, the learned Single Judge observed as follows:

“9. So, the petitioner can give a representation to the respondents to consider his request in order to give some notional effect from the year 2019-2020 through which his name was approved to be promoted to the next level of 'Technical Assistant'. On receipt of the same, the respondents shall consider the same and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.”

4. The learned Government Advocate appearing for the appellants submitted that this appeal is filed on the apprehension that based on the representation of the petitioner the appellants has to consider the case of the writ petitioner and to give some notional effect from the year 2019-2020 through which his name was approved to be promoted to the next level of 'Technical Assistant'. However, reading of the above order, it is clear that the learned Single Judge did not give any positive direction as represented by the learned Government Advocate and it is only a direction to the appellants that they shall consider the representation of the writ petitioner and pass appropriate orders.



W.A(MD)No.1945 of 2024

WEB COPY

5. Under these circumstances, this Court does not find any merit in the Writ Appeal calling for interference by this Court in the order of the learned Single Judge. However, it is made clear that in case, the respondent/writ petitioner made a representation, the appellants shall consider the same and pass appropriate orders on merits and in accordance with law.

6. With the above direction, the Writ Appeal is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

[P.V.,J.] [K.K.R.K.,J.]
17.10.2024

NCC : Yes/No
Index : Yes / No
P JL



WEB COPY



W.A(MD)No.1945 of 2024

P.VELMURUGAN, J.
and
K.K.RAMAKRISHNAN, J.

PJL

W.A(MD)No.1945 of 2024
and
C.M.P(MD)No.14398 of 2024

17.10.2024