



W.P.(MD)Nos.25024 to 25028 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM

**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**W.P.(MD)Nos.25024 to 25028 of 2016**

**W.P.(MD).No.25024 of 2016**

M.Regunathan

... Petitioner

Vs.

1.The Chief Engineer,  
Highways Department,  
Chepauk,  
Chennai 600 005.

2.The Superintending Engineer,  
Highways (Construction and Maintenance) Department,  
Alagar Kovil Road,  
Madurai.

3.The Divisional Engineer Highways  
(Construction and Maintenance), Department,  
Collectorate Complex,  
Sivagangai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 to 3 herein to promote the petitioner as Road Inspector Grade I notionally with effect from 01.01.1983 on completion of his 5 years of service as Road Inspector Grade II viz., 01.01.1983 instead of 01.01.1988 as per G.O.(Ms).No.856, Public Works



W.P.(MD)Nos.25024 to 25028 of 2016

Department, dated 01.06.1977, in the light of the order made in batch of writ petitions in W.P.(MD).Nos.7738 to 7749 of 2008, dated 12.12.2012.

For Petitioners : Mr.S.Bharathy Kannan

For Respondents : Mr.G.Suriya Ananth,  
Additional Government Pleader  
(In all Writ Petitions)

### **COMMON ORDER**

These Writ Petitions have been filed for the very same relief. In view of the same, these Writ Petitions are disposed of by a common order.

2. The respective writ petitioners have filed these Writ Petitions for a Mandamus seeking for a direction to respondent Nos.1 to 3 to promote the respective petitioners as Road Inspectors Grade-I notionally with effect from 01.01.1983 on completion of their five years of service as Road Inspectors Grade II i.e., on 01.01.1983 instead of 01.01.1988 as per G.O.(Ms).No.856, Public Works Department, dated 01.06.1977, in the light of the order made in batch of Writ Petitions in W.P.(MD).Nos.7738 to 7749 of 2008, dated 12.12.2012.



W.P.(MD)Nos.25024 to 25028 of 2016

3. According to the respective petitioners, as per the aforementioned Government Order, five years of experience for Road Inspector Grade-II is sufficient for promotion to the post of Road Inspector (Grade-I). According to the respective petitioners, even though they have completed their five years of service as Road Inspectors Grade-II i.e., on 01.01.1983 which is the cut off date, they were promoted as Road Inspectors Grade-I much belatedly. Under such circumstances, in these Writ Petitions, they seek for notional promotion as Road Inspectors Grade-I with effect from 01.01.1983 on completion of their five years of service.

4. The respective petitioners have also relied upon orders, dated 23.11.2006 and 12.12.2012, passed by this Court in W.P.(MD).Nos.1992 to 2004 of 2005 and W.P.(MD).Nos.7738 to 7749 of 2008, which according to the respective petitioners, are in respect of similarly placed persons as that of the writ petitioners herein. According to the respective petitioners, as per the aforementioned orders which have been implemented on 13.09.2013, the respective petitioners in these Writ Petitions will also have to be given a similar benefit.



W.P.(MD)Nos.25024 to 25028 of 2016

5. However, learned Additional Government Pleader appearing for the respondents would submit that as against the aforesaid orders, Writ Appeals have been filed before this Court and the said Writ Appeals are still pending consideration. He would also submit that there is an inordinate delay on the part of the respective petitioners to approach this Court as they have filed these Writ Petitions only after they retired from their service.

6. Admittedly, no final orders have been passed on the representations made by the respective petitioners before filing these Writ Petitions. The respondents have also contended that there is a delay on the part of the respective petitioners to approach this Court. They have also raised various objections in the counter affidavit filed before this Court.

7. No prejudice will be caused to the respondents, if the respective petitioners are allowed to give fresh representations seeking for the relief as sought for in these Writ Petitions and a direction is issued to the respondents to consider the same on merits and in accordance with law within a time frame to be fixed by this Court.



W.P.(MD)Nos.25024 to 25028 of 2016

8. Learned Additional Government Pleader appearing for the respondents

has also not raised any serious objections for the same.

9. For the foregoing reasons, this Court directs the respective petitioners in these Writ Petitions to submit fresh representations to the first respondent requesting the first respondent to promote the respective petitioners notionally promoted as Road Inspectors Grade-I with effect from 01.01.1983 on completion of five years of service as Road Inspectors Grade-II instead of 01.01.1988, as per G.O.(Ms).No.856, Public Works Department, dated 01.06.1977, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent shall pass final orders on merits and in accordance with law on the petitioners' representations within a period of twelve weeks thereafter.

10. With the aforesaid direction, these Writ Petitions are disposed of. No costs.

**18.09.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
TSG



W.P.(MD)Nos.25024 to 25028 of 2016

WEB COPY

**To**

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Chepauk,  
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W.P.(MD)Nos.25024 to 25028 of 2016

**ABDUL QUDDHOSE, J.**

TSG

**Common Order made in**  
**W.P.(MD)Nos.25024 to**  
**25028 of 2016**

**18.09.2024**