



W.P.No.13641 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.13641 of 2018
and W.M.P.Nos.16074 & 16075 of 2018

Dr.K.Paneerselvam,
S/o.Kannappan
No.40, Andiappan Street,
Royapuram,
Chennai – 600 013.

... Petitioner

Vs.

1. The Director General,
Archaeological Survey of India,
No.11, Janpath,
New Delhi – 110 011.
2. The Director (Administration),
Archaeological Survey of India,
No.24, Tilak Marg,
New Delhi – 110 011.
3. Dr.K.Munirathnam,
Superintending Epigraphist & Incharge
Office of the Director (Epigraphy)
Epigraphy Branch,
Mysore, Karnataka State.

... Respondents



W.P.No.13641 of 2018

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of certiorari calling for the records relating to the order passed by the second respondent in his proceedings F.No.9-1/2016 Adm I (Office Order No.95/2018 – Admin.I) dated 25.05.2018 and quash the same.

For Petitioner : Mr.C.Munusamy
For Respondents : Mr.G.Karthikeyan
Senior Counsel
for Mrs.A.Jagadeeswari

ORDER

Heard Mr.C.Munusamy, the learned counsel for the Petitioner, Mr.G.Karthikeyan, the learned Senior Counsel appearing for the respondents.

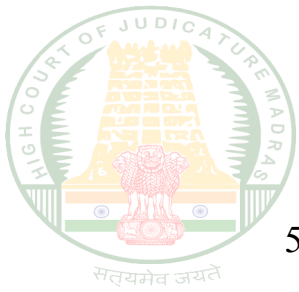
2. The petitioner has filed this writ petition challenging the order passed by the second respondent in his proceedings F.No.9-1/2016 Adm I (Office Order No.95/2018 – Admin.I) dated 25.05.2018.



W.P.No.13641 of 2018

WEB COPY 3. The petitioner has been appointed as 'Assistant' (Epigraphist) on 03.02.1999 at the office of the second respondent at Mysore. Later the petitioner was promoted to the post of 'Assistant Superintendent' (Epigraphist) on 22.11.2013 and continued to work in the said post for a period of 19 years. The petitioner claims that he ought to have been promoted to the post of 'Assistant Superintendent' (Epigraphist) even in the year 2009 as per the roaster maintained by the respondents. However, the petitioner was given with full additional charge in the Head of Office in respect of the office of Deputy Superintendent (Epigraphist), South Zone, ASI Chennai. But in order dated 25.05.2018 the petitioner was relieved from the said post and the third respondent has been given with some additional charge in the office of the Director (Epigraphist) at Mysore Branch.

4. Mr.C.Munusamy, the learned counsel for the petitioner, submitted that the petitioner was only eligible to hold the post of 'Director' at the Mysore branch office but he has been relieved from the additional charge and sent back to Chennai office as 'Assistant Superintendent'.

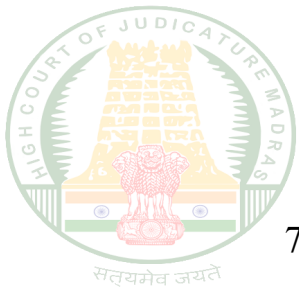


W.P.No.13641 of 2018

5. Mr.G.Karthikeyan, the learned Senior Counsel for the respondents,

submitted that originally the Mysore branch office has been headed by the Deputy Director and now it has been upgraded to be headed by the Head of Director.

6. Even though the petitioner was an Assistant Superintendent (Epigraphist), he has been appointed as additional charge at the Head Office at Mysore to hold the post of 'Deputy Director'. Since the third respondent is holding the higher post of 'Superintendent' (Epigraphist), it is found to be fit to accommodate him as a person to hold the additional charge and hence the petitioner has been relieved from the additional charge. It appears that the respondents did not fill up the regular post to the Head Office either in the cadre of 'Deputy Director' or in the cadre of 'Director' and even the petitioner has been replaced by an another person who is also holding additional charge. But the petitioner who was holding the post of Additional charge cannot construe his additional post as that of regular promotion to the said post. Hence, I feel that it is up to the respondents to consider the petitioner's representation stating that he is the eligible person to be appointed to the post of 'Director' in the Head Office.



W.P.No.13641 of 2018

7. In view of the above observation, this writ petition is disposed by

directing the respondents to consider the petitioner's representation and pass orders on its own merits, within a period of four weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

03.02.2024

Index : Yes/No

Neutral citation : Yes/No

Speaking Order/Non-Speaking Order

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To:

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New Delhi – 110 011.
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W.P.No.13641 of 2018

R.N.MANJULA, J.

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W.P.No.13641 of 2018

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