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W.P No.16034 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.16034 of 2025

Tamil Nadu Highways Skilled Assistants
(Road Inspectors) Association
(Regn.No.127/2011)
3/690-3, Old Sivakasi Road, Virudunagar,
Pin Code:-626001.

... Petitioner

..Vs..

The Divisional Engineer, Highways,
(Construction & Maintenance)
Edappadi Division, Edappadi
Salem District, Pin Code:-636105.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order of the respondent in Letter No.30(159)2025/Ni2 dated 5.2.2025 and quash the same and direct the respondent to fill up the existing vacancies in the post of Skilled Assistant-II (Road Inspector-II) in the ratio of 3:1 by direct recruitment and transfer.

For Petitioner : Mr.P.Rajendran

For Respondent : Mr.G.Nanmaran,
Special Government Pleader

ORDER



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The present writ petition has been filed with a prayer seeking certiorarified mandamus to call for the records dated 05.05.2025 and direct the respondent to fill up existing vacancies in the post of skilled Assistant No.II (Road Inspector – II) in the ratio of 3:1.

2. It is the submission of the learned counsel for the petitioner that the petitioner's Association is a registered one and the promotion post in the post of Gang Mazdoor, Road Inspector Grade II and according to the Rules, the ratio for the promotion of Gang Mazdoor is 3:1. It is the further submission of the learned counsel for the petitioner that there are 10 vacancies in the post of a Gang Mazdoor therefore by following the ratio 3:1 they seek appointment by the respondent.

3.The learned Special Government Pleader appearing on behalf of the respondent would invite the attention of this Court that in the impugned order dated 05.02.2025, they have categorically stated that the sanction strength of Road Inspector Grade-II is only 21 out of which 25% comes at 5.25 and that the respondents have already promoted 5 persons in the post of Road Inspector Grade-II. Therefore, there are no vacancies for the promotion of the post of



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Gang Mazdoor as the existing vacancies have been filed by following the ratio

3:1.

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4. I have given my anxious consideration on either side submission.

5. The submission of the learned Special Government Pleader has been categorically mentioned in the impugned order dated 05.02.2025 and this Court is of the view that when the total sanction strength is 21, naturally, 5 persons alone would come within 25% category. Therefore, this Court do not find any infirmity in the impugned order.

6. In the result, the writ petition is dismissed. No costs.

07.07.2025

ssi

Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No

To:

The Divisional Engineer, Highways,
(Construction & Maintenance)
Edappadi Division, Edappadi
Salem District, Pin Code:-636105

C. KUMARAPPAN, J.



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