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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 26850 of 2025

and

WMP Nos.30185 & 30189 of 2025

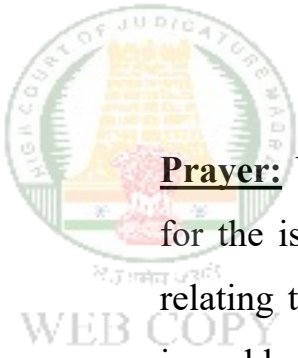
1. K.Kruthika
- 2.D.Prithiviraj
- 3.N.Sarathkumar
- 4.P.Vigneshkumar

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai- 600 009.
- 2.Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Thalamuthu Natarajan Maaligai, No.1,
Gandhi Irwin Road, Egmore, Chennai- 600 008.
- 3.The Tamil Nadu Public Service Commission (TNPSC)
Rep. by its Secretary,
TNPSC Road, VOC Nagar,
Park Town, Chennai- 600 003.
- 4.New Service Regulations Amendment Committee,
Rep.by its Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

Respondent(s)



Prayer: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to Advertisement No.710, Notification No.8/2025, dated 07.05.2025 issued by the 3rd respondent and quash the same insofar as it relates to the 6 posts of Assistant Planner in Chennai Metropolitan Development Authority mentioned in serial No.22 coming under Chennai Metropolitan Development Authority Service Regulations, 2022 and consequently direct the 2nd respondent to consider the petitioners for promotion to the post of Assistant Planner in accordance with law.

For Petitioner(s): Mrs.Nalini Chidambaram,
Senior Counsel for Ms.C.Uma

For Respondent(s): Mr.K.Surendran AGP for R1
Mr.R.Thamaraiselvan for R2 & R4
Mr.Karthik Jaganathan,
Senior Counsel for R3

ORDER

This writ petition has been filed challenging the Notification No.8/2025, dated 07.05.2025 issued by the third respondent, thereby inviting applications to fill up the post of Assistant Planner, insofar as it relates to six posts of Assistant Planner in Chennai Metropolitan Development Authority (CMDA).

2.The case of the petitioners is that petitioners are qualified with B.E./M.E. in Civil Engineering. In the year 2022, they were appointed to the post of Planning Assistant Grade – I in various divisions of the second respondent. Now the petitioners are challenging the notification issued for direct recruitment to the post of Assistant Planner on the ground that they are



under legitimate expectation that they had a vested right under the Madras Metropolitan Development Authority Service Regulations, 1980, to be considered for promotion/direct recruitment to the post of Assistant Planner. As per the 1980 Regulations, category – 3 could be filled by recruitment by transfer from category -1 of the Madras Metropolitan Development Authority Planning Subordinate Service (Planning Assistant Grade – I) and the petitioners are very much eligible for such post by transfer by promotion. However, by the 2022 Regulations, their legitimate expectation and vested rights have been violated. Further, the qualification for the post of Assistant Planner is that the candidate must possess a Master's Degree in the field of Town and Country Planning or Urban and Regional Planning or Metropolitan Planning, awarded by a University recognized by the University Grants Commission. However, there is no medium of Tamil even though, the notification issued included persons who studied in Tamil Medium also to be appointed by Direct Recruitment to the post of Assistant Planner under the category of GT(G), GT(W), BC(G), BC(W), MBC/DC(G)(PSTM), SC(G) (PSTM). Further, CMDA Service Regulations, 2022, contains a saving clause which provides that persons appointed to the service of the authority prior to coming into force of the same shall not be adversely affected by the provisions contained in the regulations of the year 2022. Even then the respondents issued notification to fill up the post of Assistant Planner by way of direct recruitment. Further, there is also change in the promotion ratio. Under the 1980 Regulations, the ratio between direct



recruits and transferees for Assistant Planner posts was 1:3. Now the ratio is also changed to 1:1, which consequently reduces the promotion opportunities of the petitioners.

3.A perusal of the counter and submissions made by either side reveals that the petitioners are not qualified for the post of Assistant Planner. Further, insofar as the category under PSTM is concerned, there are no eligible candidates under the category of BC (NP)(W) PSTM, GT (NP)(W)PSTM and MBC/DNC (NP) (W)PSTM from the list of candidates who were called for interview. Therefore, it was decided to run through the entire list of women candidates, who had claimed under PSTM but not called for interview. The new Regulations, 2022 of Housing and Urban Development Department in G.O.Ms.No.262, re-designating Planning Assistant Grade I as Junior Planner, was prepared by Experts after conducting Elaborative Study and scrutiny on all aspects. The higher educational qualification i.e., Master Degree in Master Planning was given less number of experience preference compared to Bachelor Degree candidates. Therefore, it is legally valid and in accordance with the prescribed norms for the effective functioning of the second respondent. As far as the seniority of the petitioners is concerned, as per the communal rotation, the first petitioner is in the 9th position, second petitioner is in the 12th position, the third petitioner is in the 11th position and the fourth petitioner is in the 15th position. As per Rule 15 in Revised Service Rules and Regulations of the



second respondent in G.O.Ms.No.262, dated 16.12.2022, it is stated that in case of non availability of suitable persons from the feeder post for promotion/transfer of service, that rotation will be filled up by direct recruitment. Since the petitioners are working as Planning Assistant Grade I, for promotion, they have to complete 5 years of service after acquiring the qualification. Therefore, they are not eligible to be appointed to the post of Assistant Planner.

4.In view of the same, this Court is of the view that there is no merit in this writ petition and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

24-11-2025
(1/2)

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
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7/7

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G.K.ILANTHIRAIYAN, J.

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