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W.P.No.31708 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31708 of 2025

Er.M.Antony Raja Pazham

... Petitioner

Vs

1.The Principal Secretary to Government /
The Chairman of TWAD Board
Municipal Administration and Water Supply Dept.
Government of Tamil Nadu
Secretariat, Chennai – 600 009.

2.The Managing Director
Tamil Nadu Water Supply and Drainage Board
No.31, Kamarajar Salai
Chepauk, Chennai – 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to give notional promotion to the petitioner as Superintending Engineer from the date of promotion of his immediate Junior Thiru.P.L.Muthiah (E.Code No.2642 and EE Panel Seniority No.543) from the year 2012 and all further eligible notional promotions and pay all the consequential terminal and pensionary benefits thereof with retrospective effect by considering the petitioner's representation dated 02.07.2025.



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For Petitioner : Mr.V.R.Appaswamee

For Respondent : Mr.C.Selvaraj
Additional Government Pleader for R1
Mrs.Y.Kavitha
Standing Counsel for TWAD Board [R2]

ORDER

The above writ petition has been filed seeking the following relief :

“To issue a Writ of Mandamus directing the respondents to give notional promotion to the petitioner as Superintending Engineer from the date of promotion of his immediate Junior Thiru.P.L.Muthiah (E.Code No.2642 and EE Panel Seniority No.543) from the year 2012 and all further eligible notional promotions and pay all the consequential terminal and pensionary benefits thereof with retrospective effect by considering the petitioner's representation dated 02.07.2025.”

2. The case of the petitioner is that he joined TWAD Board as Assistant Engineer on 21.01.1978. He had not been promoted to the higher posts in TWAD on account of false allegations levelled against him and was made to retire in the same post as Assistant Engineer on 30.06.2013, on attaining his age of superannuation, after putting 23 years of service.



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3. The short facts that has been narrated by the petitioner is that on 27.11.2002, the petitioner had been suspended from service by the TWAD Board, citing pendency of certain criminal case against him. The petitioner therefore approached this Court in W.P.No.43490 of 2002 seeking to set aside the suspension order and the learned Single Judge had allowed the said writ petition on 26.03.2013, and his suspension was rescinded by TWAD. Thereafter, the petitioner was permitted to retire on 28.06.2013, without prejudice to the outcome of the criminal case foisted against him. However, the terminal benefits due to him were withheld and not disbursed. Aggrieved by the act of the respondent-Board, the petitioner once again approached his Court in W.P.No.21100 of 2013, praying to direct the TWAD Board to disburse his terminal benefits. Pursuant to the orders of this Court dated 23.08.2013, directing to disburse his terminal benefits, the TWAD had complied with the orders of this Court and released the terminal benefits due to the petitioner. Subsequently, the criminal case pending against the petitioner was also quashed by an order of this Court dated 26.02.2015 in CrI.OP.No.14681/2014, which was also confirmed in an appeal preferred by the DV&AC Department before the Hon'ble Supreme Court, and the criminal



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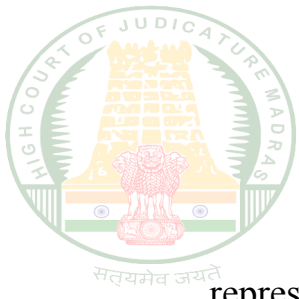
case came to an end.

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4. Without stopping with that, the petitioner had once again approached this Court in W.P.29098 of 2019, seeking a mandamus to TWAD Board to consider his representation seeking notional promotion, and this Court without going into the merits of the case, had directed the respondents to consider the representation of the petitioner by an order dated 04.10.2019. Abiding by the orders of this Court, TWAD by his proceedings dated 10.12.2019, had promoted the petitioner as an Assistant Executive Engineer.

5. Now the petitioner is before this Court seeking a direction to the respondents to consider his representations dated 22.01.2021, 21.08.2024, 04.12.2024, 12.02.2025 & 27.06.2025 to the TWAD Board to give notional promotion to the post of Superintending Engineer, and the last one such representation was on 02.07.2025.

6. Heard the learned counsel appearing for the petitioner and the learned counsel who takes notice on behalf of the respondents.



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7. Considering the fact that the petitioner had submitted several representations seeking a larger relief, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 02.07.2025, and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

8. With the above directions, the writ petition is disposed of. No costs.

29.08.2025

Index : Yes / No

Neutral Citation : Yes / No

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To:

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P.T. ASHA, J.

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