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W.P. No.35084 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.35084 of 2025

M. Kamalakannan

... Petitioner

vs.

1. The Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai.9.

2.The Director of Municipal Administration,
75 Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai.28.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the second respondent to dispose of the representation of the petitioner dated 24.7.2025 in the light of the orders of this Court made in W.P.No.5386/2021 dated 7.3.2024 and in pursuance of the proceedings of the second respondent dated 11.7.2025 vide Na.Ka.No.32814/2019/F1.

For petitioner : Mr.S. Vijaya Kumar
Senior Counsel
Asstd. by J. Melwin Jabaz
For Respondents : Mr.C. Selvaraj
Addl. Govt. Pleader

ORDER



W.P. No.35084 of 2025

Mr.C. Selvaraj, learned Additional Government Pleader, takes notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is a direction to the 2nd respondent to dispose of the petitioner's representation dated 24.07.2025 in the light of the orders of this Court made in W.P. No.5386 of 2021 dated 07.03.2024 and in pursuance of the proceedings of the 2nd respondent dated 11.07.2025 vide Na.Ka. No.32814/2019/F1.

3. The petitioner joined as Work Inspector in the Vellore Municipality on 23.06.2008 and was subsequently promoted as Overseer/Draftsman. As per the seniority list published by the 2nd respondent, vide proceedings dated 18.12.2017, he was positioned at Sl. No.84. On scrutiny of the said proceedings, it came to light that several of his juniors were placed above him. Thereafter, he approached the respondents 1 and 2 seeking revision of the seniority in accordance with the date of his entry into service. Pursuant thereto, the 2nd respondent, vide proceedings dated 13.08.2020, released a revised seniority list, in which the petitioner was repositioned at Sl. No.43.

4. It is the case of the petitioner that while effecting promotion to the post of Assistant Engineer/Municipal Engineer, his seniority in the feeder category



W.P. No.35084 of 2025

of Overseer was placed at Sl. No.45. However, to his shock, the 1st respondent issued G.O. Ms. No.457, dated 28.12.2020, relaxing the conditions under Rule 3(iv) and promoting several of his juniors to the post of Assistant Engineer. Aggrieved by the said proceedings, the petitioner submitted a detailed representation on 22.02.2021, but the same did not evoke any response, even though its receipt was acknowledged by the 2nd respondent.

5. It is the further case of the petitioner that one R. Vijayaraj, who was also aggrieved by the proceedings of the 1st respondent dated 28.12.2020, filed W.P. No.5386 of 2021 before this Court, seeking to quash the said proceedings. Pursuant to the orders passed by this Court, further proceedings were drawn on 11.07.2025. According to the petitioner, R.Vijayaraj is his immediate senior, but while implementing the said order passed by this Court, the petitioner's case was not considered. On coming to know of the proceedings dated 11.07.2025, the petitioner submitted a representation on 24.07.2025 to the respondents, seeking inclusion of his name in the list of Assistant Engineers, being the immediate junior to R.Vijayaraj. However, the same has not been considered till date.

6. Aggrieved by the inaction on the part of the respondents, the petitioner, having no other efficacious or alternative remedy, has approached this Court under Article 226 of the Constitution of India, seeking issuance of a Writ of



W.P. No.35084 of 2025

Mandamus to direct the 2nd respondent to consider his representation and extend the same benefit as granted to R. Vijayaraj.

7. Learned counsel for the petitioner would submit that the issue involved in the present writ petition is squarely covered by the decision of this Court in W.P. No.5386 of 2021 dated 07.03.2024 and thus, the petitioner is also entitled to the same benefit. In the light of the above, he prayed for issuance of appropriate directions in this regard.

8. Per contra, learned Additional Government Pleader appearing for the respondents would vehemently oppose the claim of the petitioner by contending that the facts of the present case are not identical to those of R.Vijayaraj, as relied upon by the petitioner. However, he has no objection for issuance of appropriate directions to consider the petitioner's representation dated 24.07.2025.

9. In view of the limited scope of the prayer now sought by the learned counsel for the petitioner and considering the submission made by the learned Additional Government Pleader, this Court, directs the 2nd respondent to consider the petitioner's representation, dated 24.07.2025 and pass orders on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case or with regard to the



W.P. No.35084 of 2025

claim of the petitioner in the light of the orders of this Court in W.P. No.5386 of 2021 dated 07.03.2024 as well as proceedings of the 2nd respondent dated 11.07.2025.

10. With the above direction and observation, this writ petition stands disposed of. No costs.

18.09.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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A.D. JAGADISH CHANDIRA, J.

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W.P. No.35084 of 2025

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