



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.Nos.35081 and 35089 of 2022

and

W.M.P.Nos.34532, 34533, 34538 and 34540 of 2022

W.P.No.35081 of 2022

Association of Engineers & Assistant Engineers Association,
Represented by its General Secretary K.Murugan,
Chepauk, Chennai – 600 005.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Additional Chief Secretary to Government,
Water Resources Department, Fort St.George,
Chennai – 600 009.
2. The Principal Secretary to Government,
Public Works Department, Fort St.George,
Chennai – 600 009.
3. The Engineer-in-chief & Chief Engineer (General),
Water Resources Department,
Chepauk, Chennai – 600 005.
4. The Engineer-in-Chief & Chief Engineer (General),
Public Works Department,
Chepauk, Chennai – 600 005.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India,
to issue a Writ of Certiorari, calling for the records in the impugned letter



No.S1(3)/88977/1992 dated 21.11.2022 issued by the third respondent proposing to amend Service Rule based on G.O (Ms) No.1, Public Works Department, dated 02.01.1990 and quash the same.

For Petitioners : Mr.G.V.Mohan Kumar

For Respondents : Mr.P.Ganesan,
Additional Government Pleader

W.P.No.35089 of 2022

1. Er.A.AbdulHudoos,
2. V.Ponraj
3. Er.S.Senthil Kumar
4. Er.Mathan
5. Er.P.M.Karthick

... Petitioners

Vs.

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Represented by its Additional Chief Secretary to Government,
Water Resources Department, Fort St.George,
Chennai – 600 009.
2. The Principal Secretary to Government,
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Chennai – 600 009.
3. The Engineer-in-chief & Chief Engineer (General),
Water Resources Department,
Chepauk, Chennai – 600 005.
4. The Engineer-in-Chief & Chief Engineer (General),
Public Works Department,
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... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in the impugned letter No.S1(3)/88977/1992 dated 21.11.2022 issued by the third respondent proposing to amend Service Rule based on G.O (Ms) No.1, Public Works Department, dated 02.01.1990 and quash the same.

For Petitioner : Mr.R.Premchandrar

For Respondents : Mr.P.Ganesan,
Additional Government Pleader

COMMON ORDER

These two writ petitions have been filed challenging No.S1(3)/88977/1992 dated 21.11.2022, whereby the Respondent No.3 submitted proposals for amendment of the relevant Service Rules pursuant to the policy decision taken by the Government in G.O (Ms) No.1, Public Works Department, dated 02.01.1990.

2. This court has already upheld G.O (Ms) No.1, Public Works Department, dated 02.01.1990 in W.P.No.3309 of 1991 as early as on 08.03.1991 and the same was reiterated by this court in W.P.No.36614 of 2016 by an order dated 23.01.2015 and also disposed of the another writ



petition vide W.P.No.24418 of 2021 permitting the petitioners therein to submit appropriate representations seeking further action pursuant to G.O (Ms) No.1, Public Works Department, dated 02.01.1990 by order dated 23.01.2025.

3. In view of the same, especially the fact that the validity of G.O (Ms) No.1, Public Works Department, dated 02.01.1990 has been upheld, the consequential action that is being taken by issuing the impugned Letter No.S1(3)/88977/1992 dated 21.11.2022 cannot be interfered.

4. In view of the same, the relief sought in these writ petitions cannot be granted and accordingly, both the writ petitions are dismissed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

5. As there appears to be stay in these two writ petitions, there shall be a direction to the Respondent No.1 to process the proposal, as expeditiously as possible.

29.01.2025

skr

Index : Yes / No



Speaking order / Non-speaking order
Neutral Citation : Yes / No

WEB COPY

To

1. The Additional Chief Secretary to Government of Tamil Nadu,
Water Resources Department, Fort St.George,
Chennai – 600 009.
2. The Principal Secretary to Government,
Public Works Department, Fort St.George,
Chennai – 600 009.
3. The Engineer-in-chief & Chief Engineer (General),
Water Resources Department,
Chepauk, Chennai – 600 005.
4. The Engineer-in-Chief & Chief Engineer (General),
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Chepauk, Chennai – 600 005.



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W.P.No.35081 and 35089 of



MUMMINENI SUDHEER KUMAR, J.

skr

W.P.Nos.35081 and 35089 of 2022

29.01.2025