



W.P(MD)No.4838 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.09.2025

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.4838 of 2025

G.Dhanapalan

... Petitioner

Vs.

1.The Principal Director,
Highways Department,
Guindy, Chennai-600 025.

2.The Chief Engineer,
Highways Department,
Guindy, Chennai-600 025.

3.The Superintending Engineer,
Highways,
Construction & Maintenance Department,
K.Pudur, Madurai.

4.The Divisional Engineer,
Highways, Construction & Maintenance Department,
K.Pudur Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Letter No.5484/நிர்.3/2024, dated 17.05.2024 on the file of first respondent and quash the same and



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further directing the respondents to promote the petitioner to the post of Superintendent and to pass such further or other orders as this Court.

For Petitioner : Mr.T.Aswin Rajasimman
For Respondents : Mr.F.Deepak
Special Government Pleader

ORDER

The challenge in the writ petition is in the order rejecting the request of the petitioner for promotion and for a consequential direction to promote the petitioner to the post of Superintendent.

2. It is not in dispute that the equivalence of 10th standard with a pre-foundation course is subject matter of a reference to a Larger Bench in view of divergent views taken by the Hon'ble Division Bench of this Court. It is also brought to the notice of the Court that, the respondents herein had been granting promotions to various individuals with a condition that such promotions granted will be subject to the result of the *lis* regarding the pre-foundation course.

3. In such view of the matter, this Court is of the view that the case of the petitioner can also be considered for promotion subject to his



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seniority and also subject to the decision to be taken by the Larger Bench of this Court in the issue of equivalence of 10th standard with pre-foundation course.

4. In view of the aforesaid reasons, the impugned order of rejection, dated 17.05.2024 shall stand set aside and there shall be a direction to the first respondent to consider the case of the petitioner and if he is otherwise eligible for promotion, he shall be granted promotion but however, subject to the decision of the Larger Bench on the issue. The seniority of the petitioner shall be decided after the disposal subject to the result of the Larger Bench. Such exercise shall be completed by the first respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of with the above directions. There shall be no order as to costs.

11.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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K.KUMARESH BABU, J.

BTR

Order made in
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