



WEB COPY

WP No. 9826 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 9826 of 2023

and WMP Nos.9905, 9906 and 9908 of 2023

P.Pradhan Babu

S/o.V.Palani Velu, No.48, Thirumanjana Veethi,
Koorainadu, Mayiladuthurai District.

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary to Government,
Municipal Administration and Water Supply
Department, Fort St.George,
Secretariat, Chennai.
2. The Director of Municipal Administration
M.R.C.Nagar, Raja Annamalai Puram,
Chennai-28.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call that the records of the 2nd respondent issued in memorandum No. Na. No. 20624 / 2022 / F2, dated 30.01.2023 quash the same in so far as petitioner is concerned and consequently direct the respondents to revise the seniority list and place the petitioner name in the appropriate place under the 2009 batch of Assistant Engineers in the seniority list of Assistant Engineers of Municipal Engineering Service for the year 2022-2023 with all service and monitory benefits.

For Petitioner(s):

Mr. Venkataramani, Senior Counsel
Mr.V.Jayaprakash Narayanan



WEB COPY

WP No. 9826 of 2



For Respondent(s):

Mr.Mohammed Sathik
Government Advocate

ORDER

The writ petition is filed praying for a Writ of Certiorarified Mandamus, to call that the records of the 2nd respondent issued in memorandum No. Na. No. 20624 / 2022 / F2, dated 30.01.2023 quash the same in so far as petitioner is concerned and consequently direct the respondents to revise the seniority list and place the petitioner name in the appropriate place under the 2009 batch of Assistant Engineers in the seniority list of Assistant Engineers of Municipal Engineering Service for the year 2022-2023 with all service and monitory benefits.

2. Learned Senior Counsel appearing for the petitioner would submit that petitioner, who has acquired B.E.(Civil Engineering), was initially appointed as a Work Inspector in the Municipal Engineering Department in January 2006. Petitioner was thereafter promoted to the post of Overseer on 17.08.2007. Learned Senior Counsel would submit that petitioner was eligible to be promoted to the post of Assistant Engineer in terms of the Tamil Nadu Municipal Engineering Service Rules 1997.



3. It is also the case of the petitioner that overseers/draughtsman are the feeder categories for appointment to the post of Assistant Engineers in a 3:1 ratio, i.e., three direct recruits vis-a-vis one promotee. In 2009, the Government issued G.O.Ms.No.438, Municipal Administration and Water Supply Department, creating 10 posts of Assistant Executive Engineers and 18 posts of Assistant Engineers for the purposes of implementation of underground sewage scheme. This Government Order provided that the created vacancies would be filled up by way of promotion or re-employment.

4. Learned Senior Counsel for the petitioner would submit that the eighteen posts of Assistant Engineer were instead filled up by way of transfer of service. He would thus submit that this is contrary to both Rule 5(e) of the Tamil Nadu Municipal Engineering Service Rules 1997 as well as G.O.Ms.No.438. He would also submit that the Writ Petitions came to be filed in WP Nos.23177, 23178 of 2009 were earlier filed seeking promotion to the post of Assistant Engineer in terms of the above G.O. However, the same was withdrawn on the basis of certain promises held out by the second respondent. However, this Court is not inclined to go into the correctness or otherwise of the above statement that has been made.



5. At the outset, learned Government Advocate for the respondent would submit that petitioner's promotion in terms of the Rules as well as Government Order G.O.Ms.No.438 would be considered. If found eligible, petitioners would be granted notional promotion. He would also submit that the above exercise will be completed within a period of 12 weeks. Agreed to by the learned counsel for petitioner.

6. It is submitted by the learned Senior Counsel for the petitioner that there is a stay operating against the filling of vacancies. Learned Government Advocate would submit this may not have any bearing, inasmuch as the respondents have now agreed to consider the petitioner's right to be promoted in view of the relevant Rule and G.O.Ms.No.438 of the Municipal Administration and Water Supply Department.

7. In view thereof, the respondents shall consider the petitioner's request for notional promotion, if found eligible in terms of the Rules as well as Government Order G.O.Ms.No.438. The above exercise shall be carried out within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the petitioner's request and it is open to the concerned respondent to consider the petitioner's request on its own merits and in accordance with law.



WEB COPY

8. Accordingly, Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

21-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

jv

To

1. The Secretary to Government,
Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Fort St.George, Secretariat, Chennai.

2. The Director of Municipal Administration
M.R.C.Nagar, Raja Annamalai Puram, Chennai-28.



WEB COPY

WP No. 9826 of 2



MOHAMMED SHAFFIQ, J.

jv

WP No. 9826 of 2023

21-04-2026