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W.P.No.11969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.11969 of 2025
and W.M.P.No.13528 of 2025**

M.Sujathali

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Director of Municipal Administration,
Commissionerate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road, Raja Annamalaipuram,
Chennai-600 028.

3.The Commissioner,
Tiruppur Corporation,
Tiruppur.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the second respondent in Na.Ka.No.1335/2025/ManaA-2 dated 27.02.2025 and the subsequent



W.P.No.11969 of 2025

impugned order issued by the third respondent in Na.Ka.No.1079/2023/C1 dated 04.03.2025 and to quash the same and consequently, directing the respondents to pass orders for re-designation of petitioner as Assistant Engineer with effect from 12.12.2023 in accordance with G.O.(D).No.516, Municipal Administration and Water Supply Department, dated 02.09.2023, followed by G.O.(D).No.679, Municipal Administration and Water Supply Department dated 14.12.2023, with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For Respondents : Mr.C.Selvaraj
Additional Government Pleader
for R1 and R2
Mr.D.R.Arunkumar for R3

ORDER

This Writ Petition has been filed challenging the impugned order issued by the second respondent in Na.Ka.No.1335/2025/ManaA-2 dated 27.02.2025 and the subsequent impugned order issued by the third respondent in Na.Ka.No.1079/2023/C1 dated 04.03.2025 and for a consequential direction to the respondents to pass orders for re-designation of petitioner as Assistant Engineer with effect from 12.12.2023 in



W.P.No.11969 of 2025

accordance with G.O.(D).No.516, Municipal Administration and Water

Supply Department dated 02.09.2023, followed by G.O.(D).No.679, Municipal Administration and Water Supply Department dated 14.12.2023, with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

2. The petitioner was initially appointed as Skilled Assistant Grade-I in the third respondent Corporation in the year 2010 and was subsequently promoted as Technical Assistant on 09.05.2018 and thereafter, he was further promoted as Junior Engineer based on his seniority and eligibility with effect from 12.12.2023. The claim of the petitioner is that the post of Assistant Engineer is coming under Clause III Category I of Tamil Nadu Municipal Corporation Engineering and Water Supply Subordinate Service Rules, 1996. As per the said Rules, the Junior Engineer on acquiring the qualification of Degree in Engineering shall be re-designated as Assistant Engineer from the date of acquiring such qualification. Accordingly, number of municipalities have been upgraded as Corporation and the existing Junior Engineers in the Corporation Service have been re-designated as Assistant



W.P.No.11969 of 2025

Engineers on acquiring B.E.Degree qualification. The petitioner submits that he is qualified with B.E.(Civil Engineering) in the year 2022 and he was promoted to the post of Junior Engineer with effect from 12.12.2023. Since he had qualified with B.E.Degree in the year 2022, the petitioner claims that he is entitled for re-designation as Assistant Engineer in accordance with Service Rules. The petitioner relies upon G.O.Ms.No.45 dated 12.04.2023, wherein, it was provided that as per Tamil Nadu Urban Local Bodies Rules, the post of Assistant Engineer/Junior Engineer ought to be filled up by direct recruitment and by promotion from the holders of the post of Junior Engineers following 3:1 ratio.

3. The further issue is that the Government issued order in G.O.(D).No.516 dated 02.09.2023 to fill up the promotional vacancies in Urban Local Bodies by taking educational qualification prescribed in the erstwhile Service Rules prior to coming into force of Tamil Nadu Urban Local Bodies Rules, 2023. Latest G.O.(D).No.679 dated 14.12.2023 was issued by the State Government to fill up the vacancies in the promotional post following rules in existence prior to the commencement of the Rules.



W.P.No.11969 of 2025

Placing reliance on the aforesaid Government Orders, the petitioner claims

that since he acquired B.E.Degree qualification in the year 2022 as per G.O.

(D).No.679 dated 14.12.2023, he is eligible to be re-designated as Assistant

Engineer. The claim of the petitioner is that the petitioner sent a

representation to the third respondent which was forwarded by the third

respondent by proposal dated 08.02.2024 and another proposal dated

01.03.2024. The grievance of the petitioner is that the representation

submitted by the petitioner as far as the proposals forwarded by the third

respondent to the second respondent have not been considered by the second

respondent till date which constrained the writ petitioner to file a writ

petition in W.P.No.9283 of 2024 requesting the Government to extend the

benefit of re-designation to the post of Assistant Engineer by applying the

erstwhile Rule in relaxation of G.O.Ms.No.45 dated 12.04.2023 as granted

to the other similarly placed person working in other Corporations. The said

writ petition was disposed of on 07.03.2025 directing the Government to

take a decision on the proposal forwarded by the third respondent to the

second respondent. However, the second respondent herein has issued the

impugned order dated 27.02.2025 after more than a year rejecting the claim



W.P.No.11969 of 2025

of the petitioner by citing the new Rules of Tamil Nadu Urban Local Bodies

Rules, 2023, wherein, the post of Junior Engineer has become feeder category for promotion to the post of Assistant Engineer. Hence, this Writ Petition has been filed challenging the impugned proceedings dated 27.02.2025 issued by the second respondent and the subsequent impugned order issued by the third respondent in Na.Ka.No.1079/2023/C1 dated 04.03.2025.

4. The learned Senior Counsel appearing for the petitioner submits that as against the impugned proceedings, there is an appeal remedy available before the Appellate Authority and this Court may grant liberty to the petitioner to file an appeal before the Appellate Authority.

5. Heard the learned Senior Counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.



W.P.No.11969 of 2025

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6. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned proceedings, grants liberty to the petitioner to prefer an appeal before the Appellate Authority within a period of two weeks from the date of receipt of a copy of this order. On such appeal being filed by the petitioner, the Appellate Authority is directed to dispose of the appeal within a period of six weeks from the date of filing such appeal.

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

23.01.2026
(1/2)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



W.P.No.11969 of 2025

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WEB COPY

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WEB COPY



W.P.No.11969 of 2025

M.DHANDAPANI, J.

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W.P.No.11969 of 2025

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