

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1750 of 2026

1. K.Pannerselvam,
S/o.M.Kasindiran,
Forester, Kottapatti Range,
Hosur Division,
Dharmapuri Circle.
2. A.Annadurai,
S/o. Annamalai,
Forester,
Thenkanikottai Range,
Hosur Wildlife Division,
Dharmapuri Circle.

..Appellant(s)

Vs

1. The State of Tamil Nadu,
Rep by its Addl Chief Secreatary to
Government,
Environment, climate change and Forest
Department,
Fort.St.George, Chennai 600 009
2. The Principal Chief Conservator of Forest,
and Head of Forest Force,
Forest Headquarters,
Velachery Main Road,
Guindy, Chennai -600 032.
3. The Divisional Forest Officer,
Social Forestry and Forest Extension Division,
Krishnagiri.

..Respondent(s)



Writ Appeal filed under Clause 15 of Letters Patent to set aside
the order passed by W.P.No. 39077 of 2025 dt. 17.10.2025

For Appellant(s):

Mr.M.Velmurugan

For Respondent(s):

Dr.R.Gouri, Government Counsel
for R1 to R3

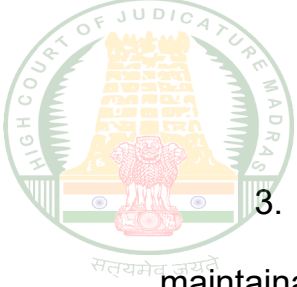
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JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The governing principles for promotion are well settled. Promotion *per se* cannot be claimed as an absolute right by an employee. However, consideration for promotion is a right of an employee. All eligible persons waiting for promotion are to be considered whenever an administrative decision is taken to fill up the higher posts. At the time of preparation of the panel, the names of all the eligible persons are to be considered. The eligibility criteria as contemplated under the service rules applicable, are to be scrupulously followed.

2. In the context of the above principles, in the present case, the writ petitioner/appellant working in the Forest Department have been implicated in a criminal case. The criminal case registered in Spl.C.C.No.04/2021 on the file of the Chief Judicial Magistrate, Krishnagiri, is pending for trial. Under those circumstances, the appellant filed a Writ of Mandamus to direct the respondent to consider him for grant of promotion to the post of Forest Range Officer.



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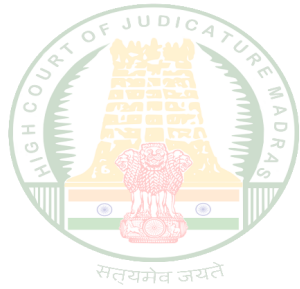
3. The relief as such sought for in the writ petition itself is not maintainable. No direction for grant of promotion be issued by the High Court unless such person is eligible and his name was passed over in contravention to the rules. In the present case, pending criminal case is a bar for grant of promotion. That being the factum, the writ Court has rightly rejected the writ petition and the same stands confirmed. Thus, Writ Appeal stands dismissed. No costs.

(S.M.S.,J.) (N.S.,J.)
02-07-2026

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

To

1. The Addl Chief Secreatary to Government,
Environment, climate change and Forest
Department, Fort. St. George, Chennai 600 009
2. The Principal Chief Conservator of Forest,
and Head of Forest Force,
Forest Headquarters,
Velachery Main Road,
Guindy, Chennai -600 032.
3. The Divisional Forest Officer,
Social Forestry and Forest Extension Division,
Krishnagiri.



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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

vsi

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