



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.22351 of 2015

and

M.P(MD)No.1 of 2015

Shanmugam

... Petitioner

Vs.

The Principal District Judge,
Tuticorin District, Tuticorin.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to consider the candidature of the petitioner for promotion and posting to the post of driver.

For Petitioner

: Mr.V.Kannan

For Respondent

: Mr.D.Sivaraman

ORDER

(Order of the Court was made by **V.RAMASUBRAMANIAN, J.**)

The petitioner who is employed as an Office Assistant in the I Additional District Court, Tuticorin has come up with the above writ petition seeking a mandamus to direct the respondent to appoint him by promotion to the post of driver.

2.Heard Mr.V.Kannan, learned counsel for the petitioner.

3.The post sought to be filled, falls for direct recruitment. Only a small percentage of posts in the category of drivers is reserved by the Special Rules for Tamil Nadu Basic Service, to be filled up by the method of promotion from among Office Assistants. If the posts now sought to be filled up do not fall within the said percentage, the petitioner cannot compel the direct recruitment quota to be diverted to promotion quota. Therefore, the writ petition is dismissed. As and when a post falls vacant under the quota reserved for promotion, the case of the petitioner may be considered along with the persons similarly placed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(Per.Admn)

/True copy/

Sub Assistant Registrar

Madurai Bench of Madras High Court,
Madurai



To

The Principal District Judge,
Tuticorin District,
Tuticorin.

+1 cc to Mr.V.Kannan, Advocate, SR No.71308

+1 cc to Mr.D.Sivaraman, Advocate, SR No.71418

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RG.SK-SKN 22/12/2015 2P:3C