

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.14595 of 2017

and

W.M.P.No.15816 of 2017

1.S.Perumal

2.A.Muthumanickam

3.F.Richard Stanley

4.T.Manimaran

...Petitioner

Vs

1. The Chairman and Managing Director
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai
Chennai - 600 002.

2. The Tamil Nadu Generation and
Distribution Corporation Ltd.,
Rep by its Secretary,
No.144, Anna Salai,
Chennai - 600 002.

3. The Chief Engineer (Personal),
Tamil Nadu Electricity Board,
Chennai.

...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents board to draw the panel of Accounts Supervisors who are fit for promotion to the post of Assistant Accounts Officers as per the approved revised seniority list released by the Board in Memo No.064906/203/G292/2010-36 dated 18.10.2016 and promote the petitioners on par with their junior Mr.J.P.Rajasekaran Kumarakurubaran who was promoted on 30.06.2016 as Assistant Accounts Officer and grant all service benefits.

For Petitioners : Mrs. Selvi George

For Respondents : Ms.R.Varalakshmi
Standing Counsel

O R D E R

The relief sought for by the writ petitioners are for a direction to direct the respondents to draw the panel of Accounts Supervisors who are fit for the post of Assistant Accounts Officers as per the approved revised seniority list released by the Board in memo No.064906/203/G292/2010-36 dated 18.10.2016 and to promote the petitioners on par with their junior Mr.J.P.Rajasekaran Kumarakurubaran who was promoted on 30.06.2016 as Assistant Accounts Officer and grant all service benefits.

2.The legal principles in the matter of promotion is that promotion can never be claimed as a matter of right. However, the consideration to include the name of the petitioner for promotion is the panel is a vested right subject to the person being a found fit and qualified.

3.This being the principles this Court is of the opinion, that it is mandated on the part of the competent authority to consider the name of all the persons, who are waiting for promotion to any higher post in the department. In the present writ petition, though the prayer sought for is large in nature, Mrs.Selvi George, the learned counsel appearing for the writ petitioners restricted the prayer by stating that it would be suffice if a direction is issued to the respondents to consider the name of the petitioners also at the time of preparation of panel for promotion.

4.In view of the confinement of the relief sought for by the learned counsel on behalf of the writ petitioners, this Court is inclined to direct the third respondent to consider the representation submitted by the writ petitioners on 02.02.2017, for consideration of their names for promotion in accordance with law and the exercise shall be done at the time of the preparation of the panel for promotion to the higher post.

5.With these observations, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

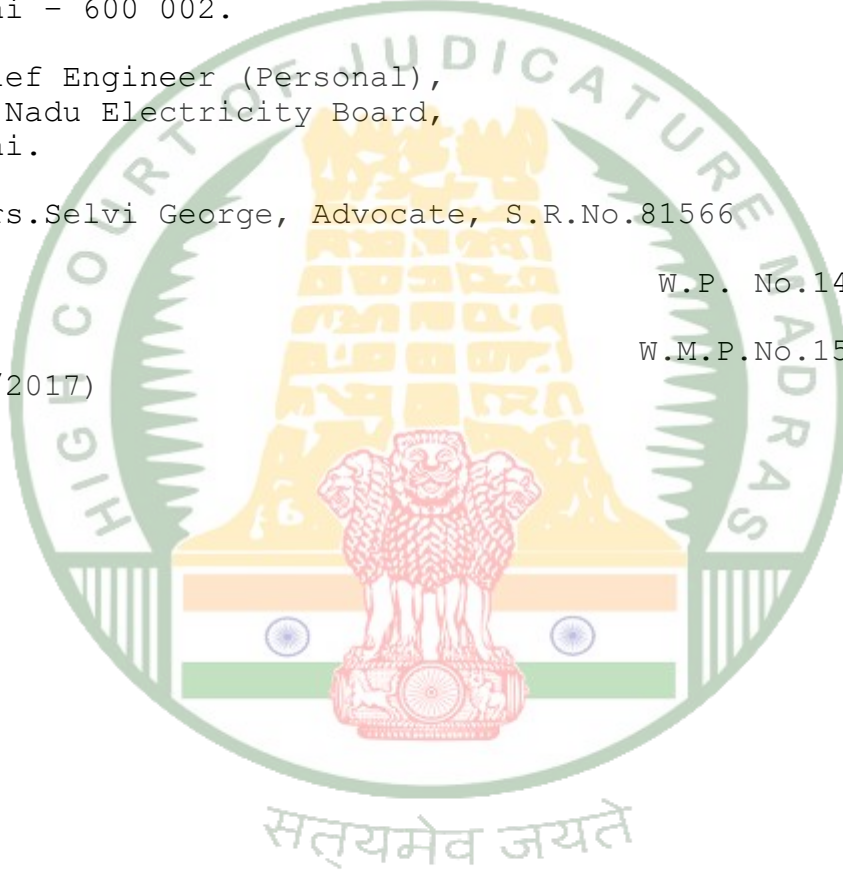
To

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+1cc to Mrs.Selvi George, Advocate, S.R.No.81566

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RRK(06/12/2017)



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