

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.28746 of 2005

V.P.Mallammal

....Petitioner

-VS-

1. The District Elementary Education Officer,
Coimbatore, Coimbatore District.
2. The Assistant Elementary Education Officer,
Anaimalai Panchayat Union Unit,
Anaimalai, Pollachi (T.K),
Coimbatore District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the 1st respondent to make necessary entry in the service register of the petitioner for having acquired the additional qualification of MA degree (Tamil) passed in the year 2004 and to consider her name for inclusion in the combined seniority list fit for promotion to the post of Tamil Pandit for the year 2005 in the petitioners unit based on her seniority.

For Petitioner : M/s.K.Thennan

For Respondents : Mr.A.Rajaperumal
Additional Government Pleader.

O R D E R

The learned counsel for the writ petitioner states that the present writ petition was filed for a direction to direct the first respondent to make necessary entry in the service register of the petitioner for having acquired the additional qualification of MA degree (Tamil) passed in the year 2004 and to consider her name for inclusion in the combined seniority list fit for promotion to the post of Tamil Pandit for the year 2005 in the petitioner's unit based on her seniority.

2. Even at the time of filing of the writ petition, the writ petitioner was aged about 52 years and she would have attained the age of superannuation during the year 2011 itself. This apart, promotion can never be claimed as a matter of right. However, consideration for promotion is a fundamental right of the employee. All promotions are to be made strictly in accordance with the rules in force and by following the seniority.

3. In the present case, the writ petitioner attained the age of superannuation long back and in view of the fact the claim of the writ petitioner is in relation to her promotion by including the degree in her service register, it is left open to the writ petitioner to approach the Competent Authority, if the grievances still exist.

4. Accordingly, the writ petition stands disposed of. No Costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Pkn

To

1. The District Elementary Education Officer,
Coimbatore, Coimbatore District.
2. The Assistant Elementary Education Officer,
Anaimalai Panchayat Union Unit,
Anaimalai, Pollachi (T.K),
Coimbatore District.

+1cc to Government Pleader SR.No.89454

CP(CO)
GMY(10/01/2019)

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