

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.31165 of 2007 and MP.No.1 of 2008

A.Shanmugasundari

... Petitioner

Versus

1.The Director of Elementary School,
DPI compound, College Road,
Chennai-6.

2.The District Elementary Education Officer,
Villupuram, Villupuram District. ... Respondents

PRAYER: Writ petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No.O.Mu.No.4966/A4/07, dated 31.08.2007 and quash the same consequently directing the respondents to consider the petitioner's promotion to the post of B.T.Assistant along with revision of payscales for the post of B.T.Assistant.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Kamaleshkannan, GA

सत्यमेव जयते
ORDER

Promotion can never be claimed as a matter of legal right. Consideration for promotion is a fundamental right. Every employee is entitled to be considered for granting promotion in accord with the seniority. However, promotion can never be claimed as a matter of right.

2. The order impugned in this writ petition dated 31.08.2007, states that as per the terms and conditions of the appointment, there is no provision to grant promotion to the writ petitioner as such sought for in her application.

3. May that it be, this Court is of the opinion that all

promotions are to be made only by following the seniority and by following the procedures contemplated for preparation of panel and grant of promotion. In the present case, the writ petitioner is unable to substantiate that her junior was promoted nor she was deprived of her right of seniority. In the absence of any such specific averments in the affidavit, this Court is not inclined to consider the relief as such sought for in this writ petition.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

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To

- 1.The Director of Elementary School,
DPI compound, College Road,
Chennai-6.
- 2.The District Elementary Education Officer,
Villupuram, Villupuram District.

W.P.No.31165 of 2007

LRS (CO)
GN(17/02/2018)

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