

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.6548, 6550 & 6553 of 2019
and
WMP.Nos.7368, 7369 & 7372 of 2019

1. R.Arjunan ...Petitioner in W.P.Nos.6548/2019
2. K.Nallasamy ..Petitioner in W.P.Nos.6550/2019
3. D.Rajendran ...Petitioner in W.P.Nos.6553/2019.

Vs

1. The Director,
Adi Dravidar & Tribal Welfare Department,
Chennai 600 005.
2. District Adi Dravidar & Tribal Welfare Officer,
Adi Dravidar & Tribal Welfare Department,
Erode District, Erode.Respondents
(in all writ petitions)

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Mandamus, directing the respondents herein to pass appropriate orders, granting retrospective effect to the promotion of the petitioner as Servant cum Watchman and as Office Assistant with retrospective effect from the date of such promotions of his immediate juniors and to grant him all consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents 1&2 : Mr.A.N.Thambidurai
Spl.Govt.Pleader
for all writ petitions.

COMMON ORDER

The relief sought for in the present writ petition is to direct the respondents to pass appropriate orders, granting retrospective effect to the promotion of the petitioner as Servant cum Watchman and as Office Assistant with retrospective

effect from the date of such promotions of his immediate juniors and to grant all consequential benefits.

2. Promotions per se cannot be claimed as a matter of right. However, consideration for promotion is a fundamental right of an employee. All eligible persons are to be considered at the time of undertaking the process of preparation of panel as well as for grant of promotion. It is needless to state that, the Competent Authorities while undertaking the process of promotion has to consider the names of all the eligible persons in the order of seniority and in accordance with their Rules in force.

3. The grievances of the writ petitioner is that, their juniors were already promoted and the writ petitioner is yet to be promoted. If such is the case, the respondents are bound to verify the grievances and take a decision in respect of grant of promotions in accordance with the Rules and by following procedures contemplated.

4. Under these circumstances, the respondents are directed to verify the service particulars of the writ petitioner and take appropriate action in this regard for grant of promotion as expeditiously as possible and in accordance with Rules. Accordingly, the writ petitions stand disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

Pkn
To

1. The Director,
Adi Dravidar & Tribal Welfare Department,
Chennai 600 005.

2. District Adi Dravidar & Tribal Welfare Officer,
Adi Dravidar & Tribal Welfare Department,
Erode District, Erode.

+2 Ccs to Mr.M.Ravi, Advocate sr 27365 & 27364.
+1 CC to Govt. Pleader sr 27228.

W.P.Nos.6548, 6550 & 6553 of 2019

RR(CO)
SP(25/04/2019)