

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.3476 of 2019

R.Rajathi

..Petitioner

vs.

1.The Director,
Integrated Child Development Services,
Tharamani, Chennai 113.

2.The District Collector,
Nammakal District.Namakkal

3.The District Programmer Officer,
Nammakal,
Nammakal District.

..Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider entering petitioner Educational qualification in her service register and promoting as Anganwadi worker and pass orders on her representation dated 26.11.2018 within a stipulated period.

For Petitioner : Mr.D.Sreenivasan

For Respondents : Mrs.P.Rajalakshmi
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is for a direction to direct the 2nd respondent to consider entering petitioner Educational qualification in her service register and promoting as Anganwadi worker and pass order on her representation dated 26.11.2018.

2. The learned counsel for the writ petitioner states that

the writ petitioner has completed X Standard and therefore, the said Educational qualification is to be entered in her Service Register, enabling her to get promotion to the post of Anganwadi worker. Undoubtedly, if any employee has qualified any additional qualification, the same is to be registered in accordance with the rules in force.

3. As far as the promotion is concerned, the same is to be considered along with all other eligible candidates and by strictly following the rules and regulations for promotion. Promotion can never be claimed as a matter of right. However, consideration for promotion is right of an employee. All the eligible employees, who all are aspiring to secure promotion, are entitled to be considered at the time of preparation of panel for promotion. Thus, the case of the writ petitioner shall also be considered along with all other eligible candidates, if she is otherwise qualified in accordance with the rules and the decision is taken administratively to fill up the post of Anganwadi worker by way of promotion. Thus, all such service benefits to be granted in future are subject to the administrative decisions taken by the authorities competent and this Court cannot grant any relief as such sought for in the present writ petition.

4. With these clarifications, the writ petition stands dismissed. No costs.
Kmm/kak

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Director,
Integrated Child Development Services,
Tharamani, Chennai 113.

2.The District Collector,
Nammakal District, Namakkal.

3. The District Programmer Officer,
Nammakal,
Nammakal District.

+1cc to Mr.D.Sreenivasan, Advocate, S.R.No.10196
+1cc to the Government Pleader, S.R.No.10765

W.P.No. 3476 of 2019

kak(18/03/2019)