

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31657 of 2019

P.Sathiya

..Petitioner

Vs

1. The Director,
Integrated Child Development Services
Tharamani, Chennai-600113
2. The District Collector,
Namakkal District,
Namakkal.
3. The District Programmer Officer
ICDS, Namakkal,
Namakkal District.
4. The Chief Development Project Officer,
Mohanur, Namakkal District.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the promotion of Helper to Worker and pass orders on the representation dated 21.10.2019 within a stipulated period of time.

For Petitioner : M/s.D.Srinivasan

For Respondents : M/s.M.Lalitha, G.A

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O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the R the respondent to consider the promotion of Helper to Worker and pass orders on the representation dated 21.10.2019 within a stipulated period of time.

2. The case of the petitioner is that the petitioner has joined as Anganwad Helper on 07.09.2007 as per the Integrated Child Development Scheme. Thereafter she completed her 10th standard in the year 2016. The promotion list prepared in the year 2016 is still pending, whereas the helpers who got recruited on 14.09.2007 were given promotion without any hassle. The petitioner made a detailed representation dated 21.08.2017 and 21.10.2019 to the 1st & 2nd respondents and the same is still pending. Hence the present writ petition.

3. Heard both sides and perused the materials available on record.

4. Promotion can never be claimed as a matter of fact. However, consideration for promotion is a right of an employee. Promotions are to be made strictly in accordance with the promotion rules and by following the seniority.

5. In the present case on hand, the grievances of the writ petitioner is that she has not been promoted since 2016, but the helpers who got recruited in the year 2007 were given promotions. As far as the promotions are concerned, no such direction can be granted as such sought for and the case of the writ petitioner can be considered along with all other eligible candidates in the order of seniority and strictly by following the rules relating to promotion to the higher posts.

6. With these observations, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Director,
Integrated Child Development Services
Tharamani, Chennai-600113
2. The District Collector,
Namakkal District,
Namakkal.

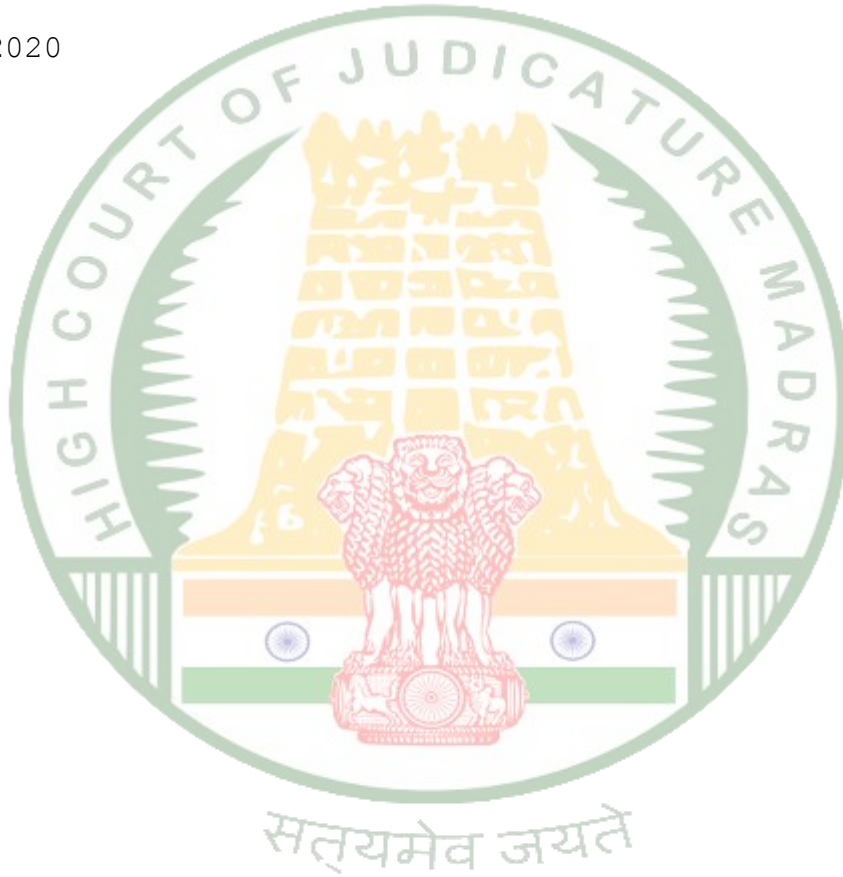
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3. The District Programmer Officer
ICDS, Namakkal,
Namakkal District.
4. The Chief Development Project Officer,
Mohanur,
Namakkal District.

+1cc to the Government Pleader, S.R.No.93780

W.P.No.31657 of 2019

KJ(CO)
CS/07/01/2020



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