IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-03-2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29827 of 2018

R.Radhika .. Petitioner

- Vs. -

1.The Principal Secretary and Commissioner
of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2.The District Collector,
Chennai District,
Chennai-600 001. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent i.e., the Principal Secretary and Commissioner of Revenue Administration, Chennai to consider the representation dated 2.4.2018.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader.

O R D E R

The representation submitted by the writ petitioner on 2.4.2018 states that the writ petitioner is now working as the Senior Revenue Inspector and he is qualified and eligible for promotion to the post of Deputy Tahsildar.

2. The writ petitioner is continuing in service as Revenue Inspector for about six years and therefore, the writ petitioner seeks that his name should be included in the panel for promotion to the post of Deputy Tahsildar.

3. Promotion, per se, cannot be claimed as a matter of legal right. However, consideration for promotion is a fundamental right of an employee. All the eligible persons are

entitled to be considered for inclusion of their respective names in the panel for promotion to the higher posts whenever the process of preparation of panel is undertaken.

4. However, mere submission of representation for appointment by an employee would not confer any right or provide a cause of action to move the writ petition, seeking the relief of directing the respondents to consider the representation. Mere submission of representation cannot be the ground for grant of promotion.

5. Promotions are to be granted strictly in accordance with the Rules in force and by considering the names of all the eligible persons, who all are aspiring to secure promotion in the order of seniority and based on the Service Rules.

6. This being the principles to be followed, the relief, as such, sought for to direct the first respondent to consider the representation submitted by the writ petitioner on 2.4.2018, is misconceived and the writ petition cannot be considered as such.

7. Thus, the writ petitioner has miserably failed to establish even a semblance of legal right, so as to consider the relief, as such, sought for in the present writ petition.

8. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Svn

To

1.The Principal Secretary and Commissioner
of Revenue Administration,
Ezhilagam,
Chepauk, Chennai-600 005.

2.The District Collector,
Chennai District,
Chennai-600 001.

+1cc to Government Pleader SR.No.27225

WP 29827 of 2018

SSV(CO)
GMY(02/05/2019)