



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P. (MD)No.18565 of 2013**

M.Esalda

... Petitioner

Vs.

1.The Assistant Elementary Educational Officer,  
Muncheerai Circle,  
Muncheerai,  
Kanyakumari District.

2.The Correspondent,  
St.Nicholas Primary School,  
Neerodithurai,  
Kollamcode Post,  
Kanyakumari District.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 19.08.2013 submitted in person in accordance with law.

For Petitioner : M/s.S.V.Uma Sankar,

For R1 : Mrs.S.Srimathy,  
Special Government Pleader

For R2 : No appearance

### ORDER

The relief sought for in the present writ petition is for a direction to the first respondent to consider the writ petitioner's representation, dated 19.08.2013.

2. The claim set out in the representation of the writ petitioner is that he must be promoted to the post of Head Mistress. The writ petitioner, even at the time of filing of the writ petition, was aged about 56 years and now, he would be around 62 years. Under these circumstances, this Court cannot issue any such



direction to consider the representation as the writ petitioner has already reached the age of superannuation.

3.Promotion perse cannot be claimed as a matter of right. All promotions are to be made strictly in accordance with the promotion rules in force. Mere submission of representation would not confer any right on the candidate to claim promotion. However, in the present case, the writ petitioner has crossed the age of superannuation and therefore, the question of considering her representation at this length of time, cannot be granted. If at all any other grievance exist, it is left open to the writ petitioner to approach the competent authority for redressal.

4.Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Assistant Elementary Educational Officer,  
Muncheerai Circle,  
Muncheerai,  
Kanyakumari District.

+1 CC to M/s.SPL GP ( SR-78845[F] dated 31/07/2019 )

W.P. (MD) No.18565 of 2013  
30.07.2019

AM

JMN(13.08.2019) 2P : 3C