



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.07.2021

CORAM :

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND**

The HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.A.(MD) No.1497 of 2021

Against WP(MD)No.5928 of 2016

M.Sundarapandian

.. Appellant/Writ Petitioner

Vs.

The Registrar-in-charge,
Tamil University,
Thanjavur.

... Respondent/Respondent

PRAYER: Appeal under Clause 15 of the Letters Patent Act, against the order dated 24.03.2021, passed in W.P.(MD) No.5928 of 2016.

Prayer in WP(MD). 5928 of 2016 :

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondent to provide promotion to the Petitioner in the post of Assistant along with other Junior Assistants who were promoted on 02.03.2016 by considering the representation of the petitioner dated 18.03.2016.

For Appellant	: Mr.T.Lajathi Roy
For Respondent	: Mr.A.K.Manikkam, Standing Counsel for Government

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J**]

This appeal by the writ petitioner is directed against an order of 24.03.2021, passed in W.P.(MD) No.5928 of 2016.

2.The appellant sought for issuance of a Writ of Mandamus, to direct the respondent university to provide promotion to the post of Assistant along with other Junior Assistants who were promoted during the year 2016 by considering his representation.

3.The learned Single Bench took note of the submission made in the counter affidavit by the Registrar-in-charge of the Tamil University, Thanjavur that the appellant was initially appointed on compassionate ground in the year 1992 and thereafter promoted as Junior Assistant in the year 2006 and as on 2016, he could not be considered for promotion to the post of Assistant, as he did not



possess the technical qualification required for the post.

4.The case of the appellant is pitched upon the fact that several persons have been granted relaxation of the requisite qualification required for being considered for grant of promotion. None of those persons who have been granted promotion have been impleaded. Therefore, we find that the learned Single Bench had rightly dismissed the writ petition. Hence, no ground has been made out to interfere with the order passed in the writ petition.

5.Accordingly, the Writ Appeal stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

To

The Registrar-in-charge,
Tamil University,
Thanjavur.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-24849[F] dated 02/08/2021)

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