



W.P.No.4716 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4716 of 2019
and
W.M.P.No.5349 of 2019

Dr.S.Sathiamoorthy

...Petitioner

Vs.

The Registrar,
Annamalai University,
Annamalainagar – 608 002,
Chidambaram.

..Respondent

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent-University to consider the Petitioner for promotion to the post of the Associate Professor in Computer and Information Science under Career Advancement Scheme (CAS) by allowing him to participate in the Certificate Verification as well as the Interview by the Committee as per the proceedings of the Respondent in Ref.Esst/ C/ 2018 dated 10.12.2018 with all consequential Benefits.

For Petitioner : Mr.J.Jayamalan
For Mr.G.Sankaran

For Respondent : Mr.K.Sathishkumar



W.P.No.4716 of 2019

ORDER

The relief sought for in the present writ petition is for a direction to direct the Respondent-University to consider the Petitioner for promotion to the post of the Associate Professor in Computer and Information Science under Career Advancement Scheme (CAS) by allowing him to participate in the Certificate Verification as well as the Interview by the Committee as per the proceedings of the Respondent in Ref.Esst/ C/ 2018 dated 10.12.2018 with all consequential Benefits.

2. Promotion *per se* cannot be claimed as an absolute right. However, consideration for promotion is a right of an employee. Therefore, the competent authorities, while undertaking the process of promotion and at the time of preparation of panel of eligible persons for promotion, has to consider the names of all the eligible persons, who all are aspiring to secure promotion to the post of Associate Professor in the order of seniority.

3. The learned counsel for the respondent made a submission that no decision was taken by the respondent/University to grant promotion to the post of Associate Professor under the scheme. It is further contended that the case of the petitioner also would be considered along with all other eligible



W.P.No.4716 of 2019

candidates at the time of preparation of panel and grant of promotion.

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4. In view of the fact that the authorities competent have not initiated any steps for preparation of panel or to grant promotion, the relief as such sought for cannot be granted. However, the respondent at the time of taking steps, has to consider the names of all the eligible persons including the petitioner in accordance with the rules and by following the procedures as contemplated.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.10.2022

Index : Yes
Speaking order: Yes
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To

The Registrar,

3/5



W.P.No.4716 of 2019

ANNAMALAI UNIVERSITY,
ANNAMALAINAGAR – 608 002,
CHIDAMBARAM.



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W.P.No.4716 of 2019

S.M.SUBRAMANIAM, J.

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W.P.No.4716 of 2019

14.10.2022