



WEB COPY

W.P.No.21666 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21666 of 2017

VG.Prabhakaran

...Petitioner

Vs.

1. The Principal Secretary,
Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai-09.
2. The Commissioner,
Tamilnadu Food Safety and Drug Administrative Department,
DMS Campus, 5th Floor,
359, Annasalai,
Teynampet, Chennai-06.
3. The Director of Public Health and Preventive Medicine,
DMS Campus, 359, Annasalai,
Teynampet, Chennai-06.

...Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to consider the representation dated 11.7.2017 given by the petitioner to the respondents for the promotion of Block Health Supervisor in Food Safety and Drug Administration Department.



For Petitioner : Mr.U.Jugal Kumar
For Respondents : Mr.U.M.Ravichandran
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation, submitted by the petitioner on 11.07.2017, for promotion to the post of Block Health Supervisor in Food Safety and Drug Administration Department.

2. Promotion per se cannot be claimed as an absolute right. However, consideration for promotion is a right of an employee. Thus, representation seeking promotion is to be considered only in accordance with the rules in force. The mere availability of vacancy would not be a ground to seek promotion. If at all an administrative decision is taken by the competent authority to fill up the promotional posts, then the names of all the eligible employees, who all are aspiring to secure promotion, are to be considered in the line of seniority and in consonance with the promotion rules in force.



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3. In the present case, the learned counsel for the respondents brought to the notice of this Court that the representation submitted by the writ petitioner on 11.07.2017 was considered by the competent authorities and an order of rejection was passed in proceeding R.No.65194/MP2/S1/2017, dated 25.02.2019.

4. Thus, the relief sought for in the present writ petition deserves no further consideration and accordingly, this writ petition stands **dismissed**.
No costs.

19.10.2022

Index : Yes
Speaking order
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To

1. The Principal Secretary,
Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai-09.
2. The Commissioner,
Tamilnadu Food Safety and Drug Administrative Department,
DMS Campus, 5th Floor,
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S.M.SUBRAMANIAM, J.

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3. The Director of Public Health and Preventive Medicine,
DMS Campus, 359, Annasalai,
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