



W.P.No.25667 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25667 of 2018

- 1.S.Visvanatan
- 2.R.Sakthimurugan
- 3.J.Sivanesan
- 4.S.Subbalakshmi
- 5.P.Subramaniyan
- 6.V.Santhoshkumar
- 7.K.Selvaraju

...Petitioners

Vs.

- 1.The Government of Tamil Nadu
rep.by its Principal Secretary/Commissioner of
Revenue Administration and Disaster Revenue Administration
Ezhilagam, Chepauk, Chennai 600 005.
- 2.The District Collector
Ariyalur District 621 802.
- 3.The District Revenue Officer
Ariyalur, Ariyalur District.

Respondents



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Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 2 and 3 include the petitioners name in the promotion panel as Assistant in the Ariyalur District for the year 2018 and give promotion as Assistant from 04.05.2018, the date on which promotion was granted to other persons by the order of the second respondent in his proceedings Na.Ka.No.A2/2133/2018 dated 04.05.2018, with all monitory and service benefits forthwith.

For Petitioners : Mr.V.Krishnamurthy

For Respondents : Mr.S.Rajesh for 1 to 3
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents 2 and 3 to include the petitioners name in the promotion panel as Assistant in the Ariyalur District for the year 2018 and give promotion as Assistant from 04.05.2018, the date on which the promotion was granted to other persons by the order of the second respondent in his proceedings



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Na.Ka.No.A2/2133/2018 dated 04.05.2018, with all monetary and service benefits forthwith.

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2.Consideration of promotion is a right of an employee. The grievances of the writ petitioners are that they were not considered for promotion to the post of Assistant from the year 2018. However, the petitioners have not stated that anything about the violation of the Rules during the relevant point of time. Mere seniority or eligibility would not confer right to seek any promotion. The respondents have filed the counter stating that two persons were already considered for promotion and they are eligible. Since the name of the writ petitioners were not considered for want of vacancy, they are not entitled for the reliefs as such sought for in the present writ petition. However, whenever the authorities take an administrative decision to fill up the promotional post, then the names of all the eligible persons including the names of the writ petitioners are to be considered in accordance with rules and the order of seniority and by following the proceedings.



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S.M.SUBRAMANIAM, J.

ssr

3.With these clarifications, this writ petition stands disposed of. No

Costs.

21.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes
ssr

To

- 1.The Principal Secretary/Commissioner of
Revenue Administration and Disaster Revenue Administration
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