



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.13391 of 2019

P.Ganesan

... Petitioner

-vs-

The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai-600 009.

... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 21.02.2019 and to pass appropriate orders on the petitioner's representation.

For Petitioner	:	Mr.S.Conscious Ilango
For Respondent	:	Mr.A.K.Manikkam Special Government Pleader *****

O R D E R

The relief sought for in the present writ petition is to direct the respondent to consider the petitioner's representation dated 21.02.2019 for grant of promotion to the post of District Extension Educator.

2. The petitioner seeks promotion by submitting a representation.

3. Promotion *per se* cannot be claimed as a matter of right. Consideration for promotion is a fundamental right. If at all an administrative decision is taken by the authorities to fill up the post, then a panel of eligible persons fit for promotion is to be prepared by following the rules in force and thereafter, promotions are to be granted. Thus, by submitting a representation, the petitioner cannot seek promotion. This apart, the learned Special Government Pleader appearing on behalf of the respondent made a submission that the petitioner had voluntarily retired from service on 18.08.2021, which was informed by the Dean, Government Thoothukudi Medical College, Thoothukudi. This being the factum, the relief as such sought for cannot be granted and the writ petition is to be rejected.



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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai-600 009.

+1 CC to M/s.V. SASI KUMAR, Advocate (SR-18033[F] dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18107[F] dated 12/04/2022)

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USK/27.04.2022/2P/4C