



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2022

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**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.15628 of 2021

and

W.M.P (MD) .Nos.12584 and 12585 of 2021

V.Raja

... Petitioner

Vs.

The Commissioner,  
Trichurappalli City Municipal Corporation,  
Trichy.

... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Ceritorarified Mandamus, calling the impugned records on the file of the respondent in the proceedings in Na.Ka.No.2852/2021/C1(Main) dated 06.08.2021 and to quash the same as illegal and consequently directing the respondent to promote the petitioner as Junior Engineer with effect from 25.02.2021.

|                 |                                     |
|-----------------|-------------------------------------|
| For Petitioner  | : Mrs.S.Praba                       |
| For Respondents | : Mr.R.Baskaran<br>Standing Counsel |

**ORDER**

The learned counsel appearing for the petitioner made a submission that the petitioner was already informed by the respondent that his name will be included in the panel for promotion.

2.If so, the petitioner is at liberty to pursue the remedy with the respondent. Promotion *per se* cannot be claimed as a matter of right. However, consideration for promotion is the fundamental right of an employee. Therefore, whenever a panel is prepared for promotion to the Higher Post, the names of eligible persons are to be considered in accordance with the Seniority and by verifying the eligibility criteria. Thus, whenever an administrative decision is taken by the Competent Authority to prepare the panel for promotion, the names of all the eligible persons are to be considered including the petitioner, if he is otherwise eligible.



3. With this clarification, the writ petition stands disposed of. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

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/ /2022

Sub Assistant Registrar(CS)

To

The Commissioner,  
Trichurappalli City Municipal Corporation,  
Trichy.

+1 CC to M/s.S.PRABHA, Advocate ( SR-12343[F] dated 15/03/2022 )

W.P. (MD) No.15628 of 2021  
15.03.2022

RS (24.03.2022) 2P-3C