



WEB COPY

W.P.No.25356 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

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

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.25356 of 2010

and

M.P.Nos.1 and 2 of 2010

1. G.Jamuna
2. V.Raja
3. P.Selvaraj
4. A.Mohamed Imithiyas
5. M.Meera

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Home (Courts) Department,
Fort St.George,
Chennai – 9.
2. The Registrar General,
High Court of Madras,
Madras – 104.
3. The Principal District Judge,
Cuddalore District,
Cuddalore.
4. K.Kasthuri



5. V.V.Muralidharan

6. V.Govindhasamy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records related to the impugned order of 3rd respondent passed in A. No. 344/2010 dated 22.10.2010 and quash the same illegal, arbitrary and violative of Articles 14 and 21 of Constitution of India and consequently directing the 3rd respondent to restore the petitioners and respondents 4 to 6 to their earlier seniority.

For Petitioners	: Mr.R.Marudhachalamurthy
For R1	: Mr.T.Chandrasekaran, Special Government Pleader
For R2 & R3	: Mr.V.Ayyadurai, Senior Counsel for Mr.A.Durai Eswar
For R4	: No appearance
For R5	: Ms.Abirami for Mrs.V.Srimathi
For R6	: Mr.S.Saravanakumar

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The proceedings dated 22.10.2020 issued pursuant to the direction of High Court in W.P.No.15909 of 2010 dated 23.07.2010 to consider and



pass orders on the application filed by the writ petitioners therein is under challenge.

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2. While considering the applications submitted by Thiru.V.V.Muralidharan and others, the learned Principal District Judge, Cuddalore granted temporary promotion to the post of Bench Clerk, Grade-I. The temporary promotion order is under challenge in the present writ proceedings.

3. The said temporary promotions granted would confer no right on the employee to claim regular promotions. Temporary promotions are granted by considering the administrative exigencies and based on necessities. Such promotions would not confer any right to seek regular promotion, which is to be done by scrupulously following the Rules. While preparing panel for regular promotion the authorities competent are bound to prepare regular panel by including the names of all the eligible employees, who all waiting for promotion.

4. Promotions are to be granted by ascertaining the eligibility and by



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following the Rules of Seniority and other criterias fixed under the Service Rules as applicable. Temporary promotions were granted in the year 2010, which is under challenge in the present writ proceedings. On account of efflux of time, many employees would have got regular promotions in the order of their seniority. Some of the employees have already retired from service on attaining the age of superannuation. Thus, no further exercise is required for the purpose of considering the grounds raised in the present Writ Petition. However, if any of the writ petitioner is having any grievance relating to promotions in accordance with law, then he/she is at liberty to approach the competent authorities for the purpose of redressal of their grievances in the manner known to law.

5. With these observations, the Writ Petition stands disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

(S.M.S.,J.) (K.R.S.,J.)
01.03.2024

skr
Index : Yes
Speaking order



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To

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1. The Secretary to Government of Tamil Nadu,
Home (Courts) Department,
Fort St.George, Chennai – 600 009.
2. The Registrar General,
High Court of Madras,
Madras – 600 104.
3. The Principal District Judge,
Cuddalore District,
Cuddalore.



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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

skr

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