



W.P.(MD)No.7069 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.7069 of 2024 &
W.M.P.(MD)No.6540 of 2024

Dr.P.Krishnamoorthy

... Petitioner

VS.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Higher Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of Technical Education,
The Director of Technical Education,
Government of Tamil Nadu,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai - 600 025.

3.Dr.G.Sivaganesh

4.Dr.A.Leelavathi

5.Dr.S.Sumathi

... Respondents

(Respondents amended vide order dated 24.04.2024 in W.M.P.(MD)No.

8875 of 2024 in W.P.(MD)No.7069 of 2024)



W.P.(MD)No.7069 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to draw the year wise promotion panel, strictly in accordance with Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 read with Schedule XI appended to the Act and consequently promote the petitioner to the post of Associate Professor, Department of Electrical and Electronics Engineering in the Government Engineering Colleges without affecting his Seniority.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R1 and R2

Mr.T.Aswin Raja Simman for R3 to R5

ORDER

Heard Mr.M.Rajarajan, learned counsel for the petitioner, Mr.T.Amjadkhan, learned Government Advocate for the respondents 1 and 2 and Mr.T.Aswin Raja Simman, learned counsel for the respondents 3 to 5.

2. The petitioner has filed this petition seeking a Writ of



W.P.(MD)No.7069 of 2024

WEB COPY

Mandamus directing the second respondent to draw a year wise promotion panel, strictly in accordance with Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 read with Schedule XI appended to the Act and consequently promote the petitioner to the post of Associate Professor, Department of Electrical and Electronics Engineering in the Government Engineering Colleges without affecting his Seniority.

3. Mr.M.Rajarajan, learned counsel appearing for the petitioner submitted that subsequent to the filing of this writ petition, the second respondent has sent a communication to the Government to prepare promotion panel to the post of Associate Professor for the years 2018-19, 2019-20, 2020-21 and 2021-22 based upon the eligibility of Associate Professors.

4. The request of the petitioner is to draw year wise promotion panel in accordance with Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 read with Schedule XI



W.P.(MD)No.7069 of 2024

WEB COPY

appended to the Act. Since the second respondent has himself taken an initiative, the petitioner's grievance is sorted out to a limited extent. Now, the petitioner has to wait until the promotion panel as requested by the second respondent is released by the Government.

5. Mr.T.Aswin Raja Simman, learned counsel appearing for the newly impleaded private respondents submitted that the respondents 3 to 5 they will have grievance if the promotion panel is released on year to year basis.

6. The respondents 3 to 5, at this juncture, cannot have any grievance. Once the promotion panel is released on year to year basis and if they are really aggrieved over the same, they can raise their objection before the appropriate Authority.

7. With the above observations, this writ petition is **disposed of** and the first respondent is directed to release the promotion panel as requested by the second respondent within a period of six weeks from the



W.P.(MD)No.7069 of 2024

WEB COPY

date of receipt of a copy of this order. No costs. Consequently,
connected Miscellaneous Petition is closed.

24.04.2024
(2/2)

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

mbi

To

- 1.The Secretary,
Higher Education Department,
Fort St.George, Chennai - 600 009.
- 2.The Director of Technical Education,
The Director of Technical Education,
Government of Tamil Nadu,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai - 600 025.



WEB COPY



W.P.(MD)No.7069 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.7069 of 2024

24.04.2024
(2/2)