



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP No. 27374 of 2012

M.Chanthirahasan
Plot No.21,
Door No.3/89, MGR Street,
Santhosapuram, Medavakkam,
Chennai 600 073.

Petitioner(s)

Vs

1. The Managing Director,
Chennai Metropolitan Water Supply &
Sewage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai 600 002.

2. The Secretary Government of Tamil
Nadu,
Municipal Administration & Water
Supply (Metro Water),
St.George Fort, Chennai 600 009.

Respondent(s)



PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant the designation of the Superintending Engineer (Retired) for the petitioner as he entitled for the same and also direct the respondents to grant the retirement benefits attached to the post of Superintending Engineer.

For Petitioner(s): Mr.C.Prasanna Venkatesh

For Respondent(s): Mr.Krishna Ravindran
For R1 and R2

ORDER

This Writ Petition has been filed seeking a writ of mandamus, directing the respondents to grant the designation of the Superintending Engineer (Retired) on the ground that the petitioner is entitled for the same and also to direct the respondent to grant the terminal benefits attached to the post of Superintending Engineer.

2. As seen from the affidavit filed in support of this writ petition and the submissions made by the learned counsel for the petitioner, the basis for making such a claim is that the Government through G.O.Ms.No.43 of Municipal Administration and Water Supply (Metro Water) Department dated 23.04.2012, sanctioned two additional posts of Superintending Engineer for Chennai Metropolitan Water Supply and Sewerage Board and in case, if the said posts were filled up during the panel year



2012-2013, for which the crucial date happens to be on 01.04.2012, the petitioner

सत्यमेव would have got promotion to one of the additional posts that were sanctioned through

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G.O.Ms.No.43 dated 23.04.2012.

3. At this stage, it is relevant to note that the petitioner has retired from service on attaining the age of superannuation on 30.04.2012 i.e., a week after the sanctioning of the additional posts. The purpose of crucial date is to assess the eligibility criteria for inclusion in the panel for the promotional post, but the same as such does not confer any right to the petitioner. It is only, in the event of State intends to fill up the promotional post by preparing a panel by the Departmental Promotion Committee and after undertaking the required process, the panel will be prepared and the persons included in such panel will be considered for promotion to the post of the Superintending Engineer for the relevant panel year.

4. In the instant case, admittedly, the petitioner retired within a week after the creation of the additional post and there is no vested right to the petitioner to claim for promotion as a matter of right. The right to promotion is not a fundamental right and it is only a right for consideration for promotion is recognised on a fundamental right and the law in this regard is well settled. As the petitioner had retired from service on



30.04.2012, the question of considering him for promotion to the additional post that has created on 23.04.2012 does not arise.

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5. In the light of the above, this Court is of the view that the claim made by the petitioner is totally misconceived. Accordingly, the writ petition is dismissed. No costs.

11-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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2. The Secretary Government of Tamil Nadu,
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MUMMINENI SUDHEER KUMAR J.

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