



WP No.13655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.12.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.13655 of 2023

and

W.M.P.Nos.13324 and 13325 of 2023

V.T.Nareash Kumar

... Petitioner

Vs.

1. The Secretary to Government,
Handloom, Handicrafts, Textiles and Khadi,
Secretariat, Chennai 600 009.
2. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.
3. M.Kumar,
Formerly Superintendent,
Now at Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.



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4. Y.Nallathambi,

Formerly Superintendent,
Now at Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Sivagangai.

5. R.Anbazzhagan,

Formerly Superintendent,
Now at Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kanchipuram

6. V.Jayasankar,

Formerly Superintendent,
Now at Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.

7. G.Nagalingam,

Formerly Superintendent,
Now at Senior Accountant Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records on the file of the 2nd respondent R.C.No.1932/E1(1)/22 dated 13.03.2023 and R.C.No.1932/E1(1)/22 dated 30.03.2023 and quash the



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same and consequently direct the respondents 1 and 2 issued the promotion to the petitioner par with junior.

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For Petitioner : Mr.K.Karthikeyan
For Respondent 1 : Ms. S.Anitha,
Special Government Pleader
For Respondent-2 : Mr.C.Rajakumar

ORDER

The writ petition is filed for the following relief:

“To issue a writ of certiorarified mandamus to call for the records on the file of the 2nd respondent R.C.No.1932/E1(1)/22 dated 13.03.2023 and R.C.No.1932/E1(1)/22 dated 30.03.2023 and quash the same and consequently direct the respondents 1 and 2 to grant promotion to the petitioner par with his juniors.”

2. The challenge is to the seniority list and promotion list issued by respondents 1 and 2 in and by which the juniors of the petitioner i.e. respondents 3 to 7 have been promoted.

3. The case of the petitioner is that he was appointed as Supervisor Grade-II (Handmade Paper) as per the proceedings of the 2nd respondent



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dated 18.06.1993. The petitioner was working without any remarks till 2016. Thereafter, he was promoted to the post of Superintendent on 21.09.2016. The next avenue of promotion is to the post of Assistant Director. The 2nd respondent had prepared a panel list, in which the petitioner was the senior most superintendent for promotion to the post of Assistant Director. Respondents 3 to 7 were juniors to the petitioner, they have been appointed on 04.10.1993. Thereafter, respondents 3 to 7 were promoted as Superintendent on 18.01.2017. Though the petitioner's name was included in the seniority panel list for the post of Assistant Director in the year 2022, however, due to manipulation by the 2nd respondent, his name was deleted from the seniority list and his juniors, namely respondents 3 to 7 were included in the seniority list. The petitioner had immediately approached the 2nd respondent questioning the seniority list. In order to get over this error, the 2nd respondent appears to have created a fake charge against the petitioner and in the guise of there being a currency of charges, the petitioner's name was not considered for selection and the juniors had been promoted. Challenging the same, the petitioner is before this Court.



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4. The 2nd respondent has filed a counter affidavit *inter alia*

contending that for promotion to the post of Assistant Director, the feeder posts are under two categories (i) by transfer and (2) by promotion.

“A-B Assistant Director” BY TRANSFER from among the holders of the post of :-

1. KHADI WING:

Development Officer , (Khadi)

2. MINISTERIAL WING:

Senior Accounts Officer (Accounts/Bills/Costing)

Personal Assistant to the Chief Executive Officer

3. VILLAGE INDUSTRIES WING:

Chief Analyst, Development Officer

(Soap/Carpentry/Blacksmithy/Paper/Pottery/Leather)

BY PROMOTION

From the following categories of posts namely

a) KHADI WING

1. Khadi Officer

2. Assistant Khadi Officer

3. Mechanic (Rural Textiles Centre)

4. Assistant Manager (DB)



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5. Lab Assistant (DB)

6. Master Tailor Gr.I

7. Shift Supervisor (Polyvastra)

8. Supervisor (Textiles Polyester)

b) MINISTERIAL WING

1. Junior Accounts Officer

2. Superintendent

3. Commercial Accountant

4. PS to Chief Executive Officer

5. Chief Cashier

6. Marketing Assistant

c) VILLAGE INDUSTRIES WING

1. Assistant Development Officer (C&B)

2. Chief Organiser (Fibre)

3. Assistant Development Officer (HMP)

4. ADO (Leather) Tanning/(Tanning Instructor)

5. Assistant Development Officer (Soap)

6. Assistant Development Officer (Oil)



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7. Village Industries Co-operative Officer

8. Apiarist Gr.1

9. Chargeman, Gr. I (C&B)

10. District Inspector of Cottage Industries Gr I

11. Superintendent (HMP)

12. Senior Supervisor (Leather)

13. Senior Pottery Organiser

14. Assistant Manager (Central Leather Marketing Depot)

(i) Must have rendered not less than 12 years of service in Tamil Nadu Khadi and Village Industries Board

(ii) Must have put in, not less than five years of service in the above said post.

(iii) The ratio among the above three wings shall be based on the cadre strength of the categories of posts available as on the crucial date of the preparation of panel for the post of Assistant Directory every year.

5. The petitioner's position in the above feeder category is in the Village Industries Wing. The ratio among the above three wings is based on



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cadre strength. For the year 2022, the eligibility for promotion to the post of Assistant Director and the seniority list of employees are as follows:

1. Assistant Khadi Officer
2. Superintendent
3. Assistant Development Officer
4. Superintendent (HMP)

6. As mentioned by the petitioner, his name was rejected without consideration. At the time of considering the eligibility, a charge Memo had been issued against him. Therefore, he became ineligible for promotion. They would further submit that there is no experienced handmade paper worker in the Board and that none from the department had been considered. They prayed for dismissal of the writ petition.

7. Heard the learned counsels on both sides and perused the materials available on record.

8. As per the counter filed by the 2nd respondent, the petitioner's name had not been considered on account of the charge memo being



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pending. The enquiry report dated 15.04.2024 which has been produced by the petitioner would clearly show that the entire charge against the petitioner was a false charge and this Court is inclined to accept the statement of the petitioner that the same had been created to keep him away from being promoted. Further, a perusal of the individuals who have been included in the regular panel under the proceedings dated 13.03.2023 and those who have been selected on 30.03.2023 would clearly show that the ratio as set out in G.O.Ms.No.306 dated 22.12.1998 has not been followed, wherein it has been stated that the feeder category consists of three wings and that the ratio is equal among the three wings.

9. Therefore, considering the fact that out of the 12 selected candidates, only two candidates have been selected from the Handmade Village Industries wing and all the remaining candidates have been selected from the Ministerial service, this Court finds that the selection has not been made in accordance with the ratio prescribed under G.O.Ms.No.306 dated 22.12.1998. Accordingly, this writ petition is allowed and the impugned proceedings dated 13.03.2023 and 30.03.2023 are hereby quashed. The respondents 1 and 2 are directed to consider the petitioner for promotion to the post of Assistant Director in accordance with his seniority and the

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prescribed ratio. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking Order : Yes / No

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To

1. The Chairman,
Tamil Nadu Uniform Service Board,
Egmore, Chennai 08.

2. The Member Secretary,
Tamil Nadu Uniform Service Board,
Egmore, Chennai 08.

3. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.

4. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Sivagangai.



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5. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kanchipuram
6. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.
7. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai 600 104.



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P.T. ASHA, J,

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