



WEB COPY



W.A.No.2878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A.No.2878 of 2025

1. The Transport Commissioner
Chepauk, Chennai – 600 005.

2. The Deputy Transport Commissioner
Erode Region, Erode.

3. The Regional Transport Officer
Kumarapalayam.

.. Appellants

Vs.

M.Kavitha

.. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P.No.28673 of 2024 dated 26.02.2025.

For the Appellants : Mr.E.Veda Bagath Singh
Special Government Pleader

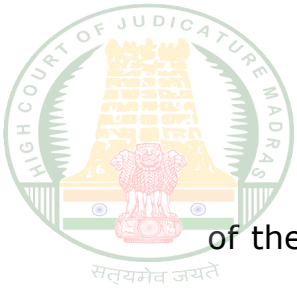
For the Respondent : Mr.L.G.Sahadevan
for Mr.A.Ilayaperumal

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

The present intra-Court writ appeal has been directed against the order passed by the Writ Court dated 26.02.2025 made in W.P.No.28673 of 2024.

2. The issue raised in the writ petition was that the writ petitioner had become eligible to be considered for promotion to the post of Assistant. The crucial date to prepare the Panel, consisting



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of the Junior Assistants to the post of Assistants, for the Panel Year 2021-22 was 15.03.2021. On that date, no charge was pending against the writ petitioner or was not issued against him.

3. Despite that, his name has not been included because, subsequently, in the year 2023, charges have been framed against the writ petitioner and the Panel Year 2021-22, since was prepared only in the year 2024, the employer thought it that, since the charges have subsequently been issued at the time of consideration of the Panel, his name could not be included in the Panel for the purpose of promotion.

4. That is how promotion has been denied to the writ petitioner, as against which, he preferred the said writ petition and the same was allowed by the Writ Court through the order impugned.

5. *Mr.E.Veda Bagath Singh*, learned Special Government Pleader appearing for the appellants made submissions that, subsequently, charge memo has been filed against the respondent/writ petitioner and at the time of consideration of preparation of the Panel, since charges have already been issued,



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the writ petitioner has not been included in the Panel.

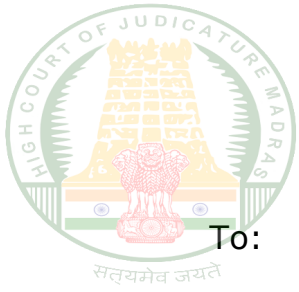
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6. This submission is not impressive, because, the fact remains that the crucial date was 15.03.2021 and that alone could be taken into account for the purpose of emplanelling the persons for promotional avenue and on 15.03.2021, admittedly, the respondent/writ petitioner has completed probation and no charges were pending against him. Therefore, the respondent/writ petitioner is entitled to get included in the Panel for promotion.

7. This view has been taken by the learned Judge in the writ petition, which has been allowed through the impugned order and we do not find any plausible reason to interfere with the same. Resultantly, the present writ appeal fails and hence, it is dismissed. However, there shall be no order as to costs. Consequently, C.M.P.No.23284 of 2025 is closed.

(R.S.K., J.) (H.C., J.)
24.09.2025

Speaking Order/Non-Speaking Order
Index:Yes/No
Internet:Yes/No
Neutral Citation:Yes/No
(drm)



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R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.

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