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W.P.No.31642 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31642 of 2025

S.Natarajan

... Petitioner

Vs.

1.The Managing Director
TWAD Board Head Office,
No. 31 Kamarajar Salai Chepauk,
Chennai 600005

2.Secretary Cum General Manager
TWAD Board Head Office,
No. 31 Kamarajar Salai, Chepauk,
Chennai 600005

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to give notional promotion to the petitioners as Accounts Officer with effect from the date of which the petitioner got eligible and complete the requisite service period as certain Assistants were granted relaxation to be promoted as Superintendent vide BP Ms No. 15 dated 29.04.2025 and to



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extend all the consequential promotions and terminal and pensionary benefits thereof with retrospective effect due to his various promotions by considering the petitioners representation dated 03.07.2025.

For Petitioner : M/s.V.R.Appaswamee

For Respondents : M/s.Y.Kavitha, Standing Counsel
for R.1 & R.2.

ORDER

The writ petition has been filed for the following reliefs:-

"directing the respondents to give notional promotion to the petitioners as Accounts Officer with effect from the date of which the petitioner got eligible and complete the requisite service period as certain Assistants were granted relaxation to be promoted as Superintendent vide BP Ms No. 15 dated 29.04.2025 and to extend all the consequential promotions and terminal and pensionary benefits thereof with retrospective effect due to his various promotions by considering the petitioners representation dated 03.07.2025."



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2. The Petitioner would submit that he had joined the services of the respondent Board on 20.03.1989 as a Helper. After passing all the departmental tests, the petitioner was promoted as an Assistant on 27.08.2013. Thereafter, he had passed the Divisional Accountant Test and was appointed as a “Divisional Accountant Officer/Assistant Accounts Officer on 31.07.2017.

3. The petitioner would submit that based on the instruction of the Managing Director TWAD Board for preparation of a regular panel of Assistant Accounts Officer fit for promotion as Accounts Officer for the year 2024-25, the Executive Engineer, RWS Division, Kancheepuram had sent a Confidential Report and Scrutinizing Officers’ Report of the petitioner. However, the petitioner was not considered for promotion on the grounds that he had a shortfall of a few days in completing seven years of service as Assistant Accounts Officer.

4. The petitioner would submit that he had completed his 7 years of service as Assistant Accounts Officer as on 27.08.2024 and worked till 31.05.2025 with the qualification for the post of Accounts Officer for nearly 9 months.



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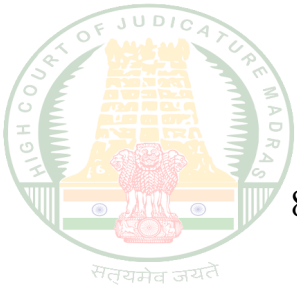
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5. The petitioner would submit that in other similar cases, relaxations were granted for a few months for the purpose of promotion.

Vide proceedings in B.P. Ms. No. 15, dated 29.04.2025, the TWAD Board had relaxed the service requirement for certain Assistants by one month to enable their promotion as Superintendents. Likewise, the petitioner could have been granted a relaxation of one month as of the crucial date, i.e.01.07.2024, for his promotion as Accounts Officer. However, the authorities had failed to do so.

6. The petitioner would submit that, prior to his retirement on 31.05.2025, he had made several requests to the respondents seeking promotion as Accounts Officer, having become eligible and qualified with the requisite period of service. However, his request was not considered by the respondents.

7. After his retirement, the petitioner had sent a detailed representation dated 03.07.2025 to the respondents seeking notional promotion as “Accounts Officer” with effect from the date on which he became eligible and completed the requisite service period. However, his representation has not been considered to date. Hence, the Writ Petition.



8. Heard the learned counsel on either side.

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9. Considering the fact that the earlier in some cases, the respondent had relaxed the service requirement and also taking note of the fact that the respondents are duty bound to dispose of the statutory representation, the Writ Petition is allowed and a direction is issued to the respondents to consider the representation of the petition dated 03.07.2025 and pass orders in accordance with law within a period of two months from the date of receipt of a copy of this order. No costs.

25.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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P.T. ASHA. J.,



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