



WEB COPY

W.A.No.393 of 2024



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.A.No.393 of 2024
and
C.M.P.No.2652 of 2024**

1.The Chairman,
Tamil Nadu Housing Board,
Koyambedu, CMDA Complex,
E & C Market Road,
Chennai - 35.

2.The Managing Director,
Tamil Nadu Housing Board,
Koyambedu, CMDA Complex,
E & C Market Road,
Chennai - 35.

3.The Secretary and Personal Officer,
Tamil Nadu Housing Board,
Koyambedu, CMDA Complex,
E & C Market Road,
Chennai - 35.

...

Appellants /
Respondents

versus

T.P.Ranganathan
S/o.T.P.Seshadri,
Junior Engineer,
Thirumazhisai Satellite Town Division,
Tamil Nadu Housing Board,
Chennai - 56.

...

Respondent /
Petitioner



Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P.No.6118 of 2023 dated 28.06.2023.

For Appellants : Mr.V.Logesh
Standing Counsel for TNHB

For Respondent : M/s.T.Dharani

J U D G M E N T

(Judgment of the Court was made by **R.SUBRAMANIAN, J.**)

Challenge in this appeal is to the order of the Writ Court made in W.P.No.6118 of 2023 dated 28.06.2023 concluding that the respondent / petitioner would be entitled to notional promotion with effect from 31.05.2007 on par with his immediate junior Mr.E.John Joseph Raj.

2. Challenge in the Writ Petition was to the order dated 23.12.2022, in and by which, the request of the respondent for promotion on par with his junior was rejected on the ground that the respondent was awarded with punishment of censure on 25.08.2006 by the Board and since the promotion panel was for the year 2006-2007, he was not included in the said panel.

3. The writ court relied upon the judgment of the Full Bench of this Court in the case of *The Deputy Inspector General of Police,*



Thanjavur Vs. V.Rani reported in **2011 (3) CTC 129**, wherein the che...

period of one year for a punishment of censure was held to be impermissible under the statutory rules. In view of the said judgment of the Full Bench, the writ court allowed the writ petition directing the respondent be given notional benefits with effect from 31.05.2007. Aggrieved the Board is on appeal.

4. The refusal by the Board is based on the clarification issued by the State and that the clarification is based on the amended rules which were introduced in the year 2013, at that time when promotion panel was drawn for the year 2006-2007, the said rule was not in existence. Therefore, the judgment of this Court in **V.Rani** was rightly applied by the writ court.

5. Hence, we see no reason to interfere with the order of the Writ Court. The Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, the connected Miscellaneous Petition is closed.

(R.S.M., J.) (G.A.M., J.)
18.02.2025

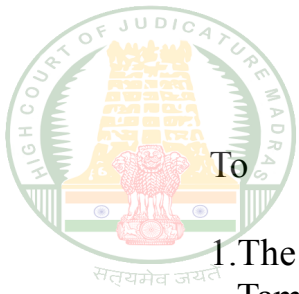
Speaking order / Non-Speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

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To

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