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W.P.No.41650 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.41650 of 2025

and

W.M.P.Nos.46678 and 46679 of 2025

M.Muthuvel

... Petitioner

-Vs-

1. The Principal Secretary,
Department of Social Welfare and Women Empowerment,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Director,
Department of Social Defense,
Presently Renamed as Children Welfare and Special Service,
No.153, New No.300,
Purasaiwalkam High Road, Kellys,
Chennai-600 010.
3. The Superintendent,
Government Children's Home,
Chennai-600 010.

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent relating to the impugned promotion panel in proceedings No.DSD/1648/2025/A1, dated 14.08.2025 and quash the same and consequently direct the respondent to republish the said promotion panel by including the name of the petitioner in the said promotion panel as per merit and eligibility at appropriate place in the list.

For Petitioner : Mr.B.Divakaran
For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This writ petition has been filed challenging the promotion panel dated 14.08.2025 to the post of Probation Officer.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed on 30.12.2016 as a Wireman in the office



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of the Government Observation Home, Ranipettai. Thereafter, he had completed his B.B.A degree. However, he was not considered for further promotion and his pay scale was also not revised. Therefore, the petitioner submitted a representation seeking promotion by citing G.O.Ms.No.338 dated 26.08.2010 and G.O.Ms.No.325 dated 22.07.2013. The post of Wireman is eligible for promotion to the post of Probation Officer, as per G.O.Ms.No.190, Social Welfare and Nutritious Meal Program Department, dated 30.07.1998 under 1:1:1 ratio from among the posts of Assistant Superintendent/Headmaster (Middle School), Tamil Pandit or Secondary Grade Teacher or House Master and all categories of Instructors in the Department of Social Defense or by transfer from the post of Office Superintendent/Office Manager/Chief Store Keeper or Laundry Supervisor or Assistant in the Department of Social Defense of by direct recruitment.

4. The post of Wireman falls under the category of Instructors and as such, the petitioner is eligible to be promoted to the post of Probation Officer.



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The promotion panel was prepared on 27.12.2023, in which the petitioner's name was included in S.No.33. However, due to non vacancy, he was not promoted to the said post. Subsequently, another panel for promotion was prepared on 11.07.2025, in which the petitioner's name was not found. Therefore, the petitioner submitted a representation. In fact, even in the revised panel for promotion to the post of Probation Officer, the petitioner's name was not found. Hence, this writ petition.

5. On instructions, the learned Additional Government Pleader appearing for the respondents submitted that the promotion panel has been prepared duly following the provisions under Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016. Accordingly, as per the number of vacancy 1-20, 200% of the actual number of estimated vacancies; 21-80, 175% of the actual number of estimated vacancies, subject to a minimum of 40; 81 and above, 150% of the actual number of estimated vacancies, subject to a minimum of 140, provided that if the qualified candidates, after consideration of



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their claims, are found not suitable for the post, the names of the next qualified

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candidates to the extent necessary shall be considered.

6. Accordingly, the panel has been prepared and the petitioner is not coming under the zone of consideration for promotion to the post of Probation Officer. Further, the impugned panel in this writ petition has been implemented by promoting six persons to the post of Probation Officer.

7. In view of the above, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

05.11.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

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G.K.ILANTHIRAIYAN. J.

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