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W.A.(MD)NO.1680 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1680 of 2025 AND

C.M.P.(MD)No.9413 of 2025

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.
2. The Director of Town Panchayats,
Directorate of Town Panchayats,
7th and 8th Floor, Urban Administrative Office Campus,
Chennai – 600 028.
3. The District Collector,
Dindigul Collectorate Campus,
Dindigul.
4. The Assistant Director of Town Panchayats,
O/o.the Assistant Director of Town Panchayats,
Dindigul District. ... Appellants / Respondents

Vs.

M.Muthuram

... Respondent / Petitioner

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 11.07.2024 made in W.P.(MD)No.26596 of 2023 and allow the writ appeal.



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W.A.(MD)NO.1680 OF 2025

For Appellants : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For Respondent : Mr.M.Rajarajan

* * *

J U D G M E N T

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The writ petitioner joined the Municipal Administration Department as Junior Assistant in the year 2007. There was some delay in declaring his probation. Eventually, the probation was declared and the writ petitioner's services in the post of Junior Assistant was also regularised. The scope of the writ petition pertains to the right of the petitioner to be promoted to the post of Executive Officer (Grade-II). The writ petitioner filed W.P.(MD) No.26956 of 2023 for directing the appellants to include his name in the promotion panel. The writ petition was allowed vide order dated 11.07.2024. Aggrieved by the same, this writ appeal has been filed.

3. The learned Additional Government Pleader informed the Court that as per G.O.(Ms).No.33 Personnel and Administrative Reforms (M) Department dated 02.03.2017, a candidate can aspire for promotion only if he has cleared two tests namely, the

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departmental test for Municipal Commissioner in the Municipal Administration Department – Part-I and the Departmental Test for Municipal Commissioner in the Municipal Administration Department-Part-II. Admittedly, the writ petitioner had cleared both the tests subsequently. The writ petitioner wrote Part-II test on 24.06.2024 and he wrote Part-I test on 20.12.2024. He cleared both the papers and as per FR 26, he is deemed to have been passed on the date when he wrote the examination. But the fact remains that the writ petition was allowed on 11.07.2024 itself. Since he passed the Part-I test subsequently, he is entitled to be included in the promotion panel only for the year 2025-26 considering the fact that he cleared both the tests by 20.12.2024. The order passed by the learned single Judge is set aside. With the aforesaid direction in favour of the petitioner, this writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
2nd July 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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K.RAJASEKAR, J.

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02.07.2025