



W.P.(MD)No.7977 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.7977 of 2021

C.Dhanabal

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Tamil Nadu Development and Religious Endowments,
Secretariat, Chennai-9.

2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Uthamar Gandhi Salai,
Chennai – 34.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Writ of certiorarified Mandamus, calling for the impugned order in R.C.No. 20519/2020-1/B1, dated 12.02.2021 on the file of the respondent No.2 and quash the same as illegal and consequently for a direction directing the respondents to grant promotion to the petitioner in the post of Assistant Commissioner with all consequential benefits with effect from 31.01.2007 on the date of G.O No.34 issued for the panel year 2004-2005 i.e., one month before the date of retirement with consequential benefits to the petitioner within the time period stipulated by this Court



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For Petitioner : Mr.S.Rajasekar
For Respondents : Mr.P.Subbaraj,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 12.02.2021 passed by the second respondent rejecting the petitioner's request to grant promotion to the petitioner in the post of Assistant Commissioner with all consequential benefits with effect from 31.01.2007 on the date of G.O.(Ms).No. 34, issued for the panel year 2004-2005 i.e., one month before the petitioner's date of retirement with all consequential benefits within a time frame to be fixed by this Court.

2. The petitioner has claimed for notional promotion through this writ petition after his retirement from service. The law is well settled by the recent decision of the Hon'ble Supreme Court *in the case of Government of West Bengal Vs. Dr.Amal Satpathi and Others* reported in *2024 Supreme (SC) 1093*, wherein, the Hon'ble Supreme Court has held that promotion cannot be retrospectively granted after retirement, as it requires actual assumption of duties and responsibilities of the promotional post. The Hon'ble Supreme Court



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has also held that promotion only becomes effective upon assumption of duties in the promotional post and not on the date of occurrence of vacancy or on the date of recommendation.

3. In view of the well settled law, the question of interfering with the impugned order passed by the second respondent, dated 12.02.2021, rejecting the petitioner's request for notional promotion does not arise, since the petitioner has already retired from service.

4. For the foregoing reasons, this Court does not find any merit in this Writ Petition and the same stands dismissed. No costs.

15.09.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Tamil Nadu Development and Religious Endowments,
Secretariat, Chennai-9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Uthamar Gandhi Salai,
Chennai – 34.

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ABDUL QUDDHOSE, J.

TSG

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