



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) Nos.26273 & 26274 of 2022

and

W.M.P.(MD) Nos.20448 & 20453 of 2022

W.P.(MD) No.26273 of 2022:

S.Mohamed Ali

... Petitioner

-vs-

1.The Additional Chief Secretary
to Government
Social Welfare and Women
Empowerment Department
Secretariat, Chennai-600 009

2.The Commissioner of Social Welfare
Thiru.Vee.Kaa.Industrial Estate Complex
SIDCO, Guindy, Chennai-600 032

3.The Chief Development Project Officer
Sedapatti, Peraiyur Taluk
Madurai District

... Respondents



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling the records of the first and second respondents i.e., the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai in Letter No. 6118/SaNa1(2)/2019-20, dated 26.09.2022 and in Na.Ka.No. 2686/Nir2(3)/2019 dated 30.09.2022 and quash the same and consequently direct the first respondent i.e., the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai, to notionally promote the petitioner as Superintendent according to the seniority of the approved list and refix the pay in the cadre of Superintendent and consequently send revised pension proposals to the Accountant General, Chennai, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.A.Baskaran
Additional Government Pleader

W.P.(MD) No.26274 of 2022:

V.S.Pannirchelvan (Died)

P.Devaki

[Petitioner is impleaded vide court order dated 23.04.2025 in W.M.P. (MD) No.17710 of 2024]

... Petitioner

Page 2 of 7



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

-VS-

1.The Additional Chief Secretary
to Government
Social Welfare and Women
Empowerment Department
Secretariat, Chennai-600 009

2.The Commissioner of Social Welfare
Thiru.Vee.Kaa.Industrial Estate Complex
SIDCO, Guindy, Chennai-600 032

3.The District Social Welfare Officer
Theni, Theni District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling the records of the first and second respondents i.e., the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai in Letter No. 6118/SaNa1(2)/2019-20, dated 26.09.2022 and second respondent i.e., the Commissioner of Social Welfare, Chennai, in Na.Ka.No.2686/Nir2(3)/2019 dated 30.09.2022 and quash the same and consequently direct the first respondent i.e., the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai, to notionally promote the petitioner as Superintendent according to the seniority of the approved list and refix the pay in the cadre of Superintendent and in the cadre of Industrial



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

Co-operative Officer and consequently send revised pension proposals to the Accountant General, Chennai, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.A.Baskaran
Additional Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the impugned orders rejecting the request of the writ petitioners for notional promotion as well as for re-fixation of their respective salaries. Their request has been rejected, on the ground of laches, since the respective writ petitioners have already retired from service and while they were in service, they never made any request for promotion or for re-fixation of their respective salaries.

2. The undisputed fact is that the respective writ petitioners retired from service in the year 2006 and 2010 respectively. However, they filed writ petitions seeking to consider their representations for notional promotion and for re-fixation of their respective salaries before this Court only



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

in the year 2014. Only pursuant to the directions issued by this Court to consider their representations, the impugned orders came to be passed rejecting their request for notional promotion and for re-fixation of their respective salaries on par with their junior.

3. This Court is of the considered view that under the impugned orders, the respondents have rightly rejected the writ petitioners' request on the ground of laches. Since the respective writ petitioners retired from service in the year 2006 and 2010 respectively and they chose to approach this Court only in the year 2014 for the purpose of directing the respondents to consider their representations seeking for notional promotion and for re-fixation of their respective salaries.

4. The issue involved in the present writ petitions is also well-settled by the decision of the Honourable Supreme Court in the case of ***Government of West Bengal and others vs. Dr.Amal Satpathi and others***, reported in ***2024 SCC OnLine SC 3512***, wherein, it has been made clear that an employee, who was retired from service, cannot seek for notional promotion.



W.P.(MD) Nos.26273 & 26274 of 2022

WEB COPY

5. For the foregoing reasons, this Court does not find any infirmity in the impugned orders and the writ petitions are, therefore, liable to be dismissed.

6. Accordingly, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

16.10.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

- 1.The Additional Chief Secretary
to Government,
Social Welfare and Women
Empowerment Department,
Secretariat, Chennai-600 009.
- 2.The Commissioner of Social Welfare,
Thiru.Vee.Kaa.Industrial Estate Complex,
SIDCO, Guindy, Chennai-600 032.
- 3.The Chief Development Project Officer,
Sedapatti, Peraiyur Taluk, Madurai District.
- 4.The District Social Welfare Officer,
Theni, Theni District.



WEB COPY



W.P.(MD) Nos.26273 & 26274 of 2022

ABDUL QUDDHOSE, J.

krk

W.P.(MD) Nos.26273 & 26274 of 2022
and
W.M.P.(MD) Nos.20448 & 20453 of
2022

16.10.2025