



W.P.(MD).No.27122 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.P.(MD).No.27122 of 2019

D.Caroline Kamala Bai

... Petitioner

Vs.

1.The Director,  
Institute of Road Transport,  
Tharamani,  
Chennai – 600 113.

2.The Principal,  
IRT Polytechnic College,  
Trivandrum Road,  
Kanganthanparai,  
Tirunelveli,  
Tirunelveli District – 627 007.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1<sup>st</sup> respondent herein to include the petitioner's name in the seniority list for the post of 'Superintendent' and promote the petitioner as 'Superintendent' on par with her juniors, by taking into account of her total years of service in various feeder posts in the office of the 2<sup>nd</sup> respondent and consequently directing the respondents 1 and 2 herein to confer all monetary benefits to her within a stipulated time.





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Hence, she has come forward with the Writ Petition seeking promotion to the post of Superintendent on par with her juniors.

3. There is no representation for the respondents and no counter is also filed before this Court. However, I have gone through the records. A perusal of the records shows that admittedly, one S.Sampath Kumar and K.Muthuraj, who are cited as juniors to the petitioner, were appointed in the cadre post of Typist cum Record Clerk on 14.07.1995 and 19.07.1995 respectively. According to the petitioner, while the petitioner was accommodated in the cadre post, her services ought to have been regularised from 02.12.1994 instead of 25.01.1997. She further stated that her initial appointment in the post of Record Clerk cum Typist is on 02.12.1994 and hence, she is senior to the other two persons.

4. This Court is unable to accept this submission. Admittedly, the petitioner's initial appointment on 02.12.1994 is on the consolidated wages and it is not a cadre post. Her services were regularised only with effect from 25.01.1997 and a separate proceedings dated 04.04.1997 was issued in this regard. On perusal of the proceedings dated 04.04.1997, it is made clear that she was earlier appointed as a Record Clerk/Typist on consolidated wages and brought into regular time scale only with effect from 25.01.1997, i.e., in the



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cadre strength. This date is the starting point of her service fixed by the Appointing Authority as per the proceedings dated 04.04.1997 and the same has not yet been challenged. Hence, the initial appointment of the petitioner is in the year 1997 and the same has to be reckoned for the purpose of effecting promotion list. Further, it is admitted that the other two persons, who have been compared with the petitioner, have been directly appointed in the cadre post in the year 1995 itself. Hence, they cannot be termed as juniors to the petitioner.

5. At this stage, the learned counsel for the petitioner submits that the petitioner is now placed in Serial No.1 in the seniority list for promotion to the post of Assistant issued on 05.12.2022. If that be the case, when the respondents decide to effect promotion for the post of Assistant, the petitioner may also be considered based on her seniority.

6. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

**14.08.2025**

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

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