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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 11.02.2026

PRONOUNCED ON : 06.03.2026

CORAM

**THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

WP No. 34253 of 2007

T.A. Joseph
Flat No.6, Block No.31,
CPWD Quarters,
II Cross Street, Besant Nagar,
Chennai-90 (Working as Regional
Director, RDAT, Chennai-32)

Petitioner(s)

Vs

1. The Secretary
Union Public Service Commission,
Sang Lok Seva Ayog, Dholpur House,
Shahjahan Road, New Delhi- 110 011.

2.The Director General/
Joint Secretary,
O/o. Directorate General of
Employment and Training,
Ministry of Labour and Employment,
Shram Sakthi Bhvan,
New Delhi- 110 001

3.The Director (Admn)
O/o Directorate General of
Employment And Training,
Ministry of Labour and Employment,
Shram Sakthi Bhvan,
New Delhi - 110 001.

4.Shri.Desraj
Regional Director,



Regional Directorate of Apprenticeship
Training, Faridabad, Haryana.

5. Shri B.R. Muddappur
Director, Apex Hitech Institute,
FTI Circle, Bangalore - 22

6. Shri Y.P. Sharma
Director of Training, DGET,
Shram Shakthi Bhavan, Rafi Marg,
New Delhi - 110 001.

7. The Registrar
Central Administrative Tribunal,
High Court Campus, Chennai-104.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the concerned records relating to the impugned orders dated 10.08.2007 given in O.A.No. 70 of 2007 and the order dated 01.10.2007 given in R.A.No.33 of 2007 passed by the Seventh Respondent.

For Petitioner (s):	Mr.S.Ramaswamy Rajarajan
For R1, R4 & R6:	No appearance
For R2 & R3:	Dr.K.Kannan, Senior SPC
For R5:	Not ready in notice
For R7:	Tribunal

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

This Writ Petition had been filed by the petitioner in O.A. No. 70 of 2007 on the file of the Central Administrative Tribunal, Chennai, aggrieved by the order dated 10.08.2007 and the subsequent order of the Tribunal dated 01.10.2007 in R.A. No. 33 of 2007.

2. The petitioner was working as Regional Director of Apprenticeship Training in Chennai at the time of filing the Original Application. He had been



promoted as Director in 2002. He claimed that when he was working in the earlier post of Joint Director he was senior to the 4th to 6th respondents, but when he perused the seniority list of Directors, he found that he had been placed below the said respondents. He sent a representation and sought re-fixing of the seniority. The representation was rejected, necessitating the petitioner to approach the Tribunal by filing O.A. No. 70 of 2007.

3. The Tribunal, by order dated 10.08.2007 dismissed the application. The Tribunal held that as a fact, the petitioner was senior to 4th to 6th respondents in the post of Joint Director, but when the panel was determined for the promotion to the post of Director for the year 2000-01, the Department Promotion Committee examined the Annual Confidential Reports for the relevant period up to 1998-99. The petitioner had been ranked 'good', whereas the 4th to 6th respondents had been ranked as 'very good'. The DPC therefore promoted 4th to 6th respondents to the post of Director in the year 2000-01. Subsequently, when the panel was prepared for promotion to the post of Director in the year 2001-02, the DPC considered the ACRs for the relevant period 1999-2001, when it was found that the petitioner had been ranked as 'very good'. The petitioner was promoted to the post of Director in the year 2001-02. The Tribunal held that since the petitioner had been promoted to the post of Director subsequent to the 4th to 6th respondents, he cannot claim seniority above them, and therefore dismissed the Original Application. The



petitioner then filed a Review Application, which was also dismissed.

Challenging the two orders, the petitioner had filed this Writ Petition.

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4. Heard arguments advanced by Mr. Ramaswamy Rajarajan, learned Counsel for the petitioner and Dr. K. Kannan, learned Senior Panel Counsel for the 2nd and 3rd respondents. There was no appearance for the other respondents.

5. Mr. Ramaswamy Rajarajan took the Court through the facts of the case. The learned Counsel pointed out that it was an admitted fact that the petitioner was senior to the 4th to 6th respondents in the post of Joint Director, and argued that there was no justification in placing him junior to the said respondents in the post of Director, particularly when they were all promoted at the same time by the DPC. Learned Counsel assailed the orders of the Tribunal and urged that they should be set aside and the seniority of the petitioner should be restored to above the 4th to 6th respondents.

6. Dr. K. Kannan, learned Senior Panel Counsel for the 2nd and 3rd respondents however disputed the said contentions. The learned Counsel pointed out that though the petitioner was senior to the 4th to 6th respondents in the post of Joint Director, when the panel was drawn to the promotion to the post of Director for the 6 vacancies in the years 2000-01 and 2001-02, the ACRs of the candidates were examined and it was found that the 4th to 6th



respondents had been ranked 'very good' for the relevant years 1998=99, whereas the petitioner had been ranked as 'good' and therefore, they had been promoted for the vacancies in the year 2000-01. Thereafter, the ACRs for the years 1999-01 were examined and since the petitioner had been ranked as 'very good', he was considered for promotion for the year 2001-02. It was therefore contended that so far as the post of Director its concerned, the petitioner was junior to the 4th to 6th respondents. It was therefore urged that the Writ Petition should be dismissed.

7. We have carefully considered the arguments advanced and perused the material records.

8. The petitioner had been selected and appointed as SeniorScientific Officer Grade II in the year 1973. He was then selected as Deputy Director of Training in the Ministry of Labour and Employment in the year 1979. He was then promoted as Joint Director. He was then further promoted as Director and joined as Regional Director of Apprenticeship Training, Chennai in the year 2002.

9. The petitioner was admittedly senior to the 4th to 6th responds when serving as Joint Director. The Department Promotion Committee considered filling up of 6 vacancies in the post of Director for the years 2000-01 and 2001-02. They examined the ACRs for the years 1998-99. The 4th to 6th



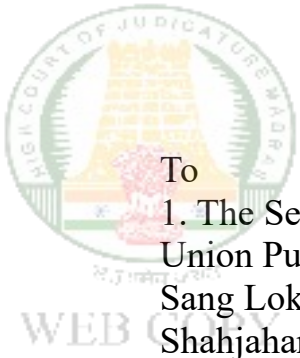
respondents had been ranked as 'very good', whereas the petitioner had been ranked as 'good'. The 4th to 6th respondents were therefore promoted for the vacancies for the year 2000-01. Thereafter, to fill the vacancies for the year 2001-02, the ACRs for the years 199-01 were examined. The petitioner had been ranked as 'very good'. He was thus promoted for the year 2001-02. It is thus seen that the petitioner had not been overlooked while granting promotion from the post of Joint Director to the post of Director. A decision had been taken by the DPC on examination of the ACRs for the relevant period.

10. We hold that cogent and legally acceptable and tenable reasons had been advanced regarding the basis under which the promotions had been granted to the post of Director from the post of Joint Director. It was not done arbitrarily, but only on considering the ACRs for the relevant period.

11. We therefore hold that the orders of the Tribunal in both the Original Application and Review Application do not suffer from any infirmity and necessarily have to be upheld. The Writ Petition therefore stands dismissed. No costs.

(C.V.K.J.,) (K.B.J.,)
06-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
sli



To

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Sang Lok Seva Ayog, Dholpur House,
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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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**Pre-delivery order in
WP No. 34253 of 2007**

06-03-2026