



WEB COPY



W.P.Nos.22235, 22236 & 22237 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.Nos.22235, 22236 & 22237 of 2016

and

W.M.P.Nos.18970, 18972 & 18973 of 2016

L.L.S.Manikghantan
Son of L.Sukumaran Pillai

... Petitioner
in W.P.No.22235/2016

M.Ingarsal
S/o.P.Mani

... Petitioner
in W.P.No.22236/2016

J.Raji
W/o.C.Vasu

... Petitioner
in W.P.No.22237/2016

vs.

1. The Managing Director
Tamil Nadu Tea Plantation Corporation Ltd.,
TANTEA Complex
Coonoor, Nilgiris District – 643 101.

... Respondents
in all WPs

2. The Divisional Manager
TANTEA
Lawson Tea Division
Cinchona Post
Valparai – 642 106
Coimbatore District.

... 2nd Respondent
in W.P.No.22235/2016

3. The Divisional Manager
TANTEA

Page Nos.1/9



W.P.Nos.22235, 22236 & 22237 of 2016

Naduvattam Tea division
Naduvattam P.O.
Nilgiris District – 643 224.

... 2nd Respondent
in W.P.No.22236/2016

4. The Administrative Officer
The Tamilnadu Tea Plantation Corporation Ltd.,
Coonoor, Nilgiris District – 643 101. ... 2nd Respondent
in W.P.No.22237/2016

Writ Petitions filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records of the first respondent relating to the order in Pro.No.5361/2010/E2 dated 18.06.2016 and quash the same insofar as it relates to the petitioners and to issue consequential directions to the respondents to promote the petitioners as Senior Draughting Officers in the available vacancy.

For Petitioners in all WPs : Mr.M.Ravi
For Respondents in all WPs : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.,

COMMON ORDER

The challenge in these three writ petitions is to the common order dated 18.06.2016, bearing Reference No. Pro.No.5361/2010/E2, passed by the first respondent. By the said impugned common order, the petitioners' promotions to the post of Draughting Officers were revoked, and they were reverted to the post of Junior Draughting Officers with effect from the date of the impugned order.



W.P.Nos.22235, 22236 & 22237 of 2016

2. The petitioners, while serving as Junior Draughting Officers, were promoted to the post of Draughting Officers vide order dated 18.12.2008.

Thereafter, one Ravichandran, who had been denied promotion on account of the pendency of disciplinary proceedings, submitted a representation seeking promotion to the post of Draughting Officer. Acting on the said representation, the first respondent, by the impugned proceedings, revoked the promotions granted to the petitioners on the ground that promotion to the post of Draughting Officer is based on merit-cum-seniority and that juniors to the petitioners, who were within the zone of consideration, were not considered for promotion. It was therefore held that the promotions granted to the petitioners were in contravention of the rules governing promotion to the said post.

3. Mr. M. Ravi, learned counsel for the petitioners, submitted that the promotions granted to the petitioners were neither obtained by misrepresentation nor by fraud, and therefore, the reversion of the petitioners after a lapse of eight years is impermissible in law. He further submitted that, as per G.O.Ms.No.210 dated 11.03.1987, the petitioners are entitled to promotion to the post of Draughting Officer upon completion of the



W.P.Nos.22235, 22236 & 22237 of 2016

stipulated period of service. In support of his submission reliance is placed on the decision of the Apex Court.

4. Per contra, Mr. P. Raghunathan, learned counsel for the respondents, submitted that Rule 10(i) of the Staff Service Rules governing promotions categorically provides that promotions shall be made on the basis of merit and ability. Therefore, the promotions granted to the petitioners without considering their juniors were contrary to the said rule, and the respondent Corporation was justified in passing the impugned order, which does not warrant interference by this Court. He further submitted that the respondent Corporation is facing financial constraints and, therefore, the petitioners are not entitled to any monetary benefits.

5. The submissions advanced by the learned counsel on either side and the materials available on record have been duly considered.

6. Admittedly, the relevant rule stipulates that promotion shall be on the basis of merit-cum-seniority and not seniority-cum-merit. Therefore, all persons who were within the zone of consideration, including those who



W.P.Nos.22235, 22236 & 22237 of 2016

were juniors to the petitioners, ought to have been considered for promotion to the said post. It is also admitted that the said juniors had no grievance with regard to the promotions granted to the petitioners. However, the first respondent, *suo motu*, on the basis of the representation submitted by Ravichandran, passed the impugned order. The promotions were granted to the petitioners on 18.12.2008, whereas the impugned common order reverting them to their original posts was passed only on 18.06.2016, i.e., after a lapse of more than eight years.

7. The Hon'ble Supreme Court in ***M.A. Hameed v. State of Andhra Pradesh and another, (2001) 9 SCC 261***, has held that even if an appointment is temporary or irregular in nature, reversion should be effected within a reasonable period. In ***Union of India and another v. Narendra Singh, (2008) 2 SCC 750***, the Hon'ble Supreme Court, relying upon its earlier decision in ***Indian Council of Agricultural Research and another v. T.K. Suryanarayanan and others***, held that where an erroneous promotion is granted due to incorrect interpretation of the rules, the employer cannot be prevented from rectifying the mistake by correctly applying the rules, even if such correction causes hardship to the employee, as courts cannot ignore



W.P.Nos.22235, 22236 & 22237 of 2016

WEB COPY

10. In the light of the above, the following order is passed:

- (i) The captioned Writ Petitions stand allowed;
- (ii) The impugned common order dated 18.06.2016 bearing reference Pro.No.5361/2010/E2 is hereby quashed;
- (iii) The petitioners are entitled for attendant and other consequential benefits flowing from this order;
- (iv) The respondent – Corporation is directed to give effect to this order, within a period of four months from the date of receipt of a copy of this order.

Consequently, connected miscellaneous petitions are closed.
There shall be no order as to costs.

28.01.2026

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

mk

To

1. The Managing Director
Tamil Nadu Tea Plantation Corporation Ltd.,
TANTEA Complex
Coonoor, Nilgiris District – 643 101.

Page Nos.7/9



WEB COPY



W.P.Nos.22235, 22236 & 22237 of 2016

2. The Divisional Manager
TANTEA, Lawson Tea Division
Cinchona Post, Valparai – 642 106
Coimbatore District.
3. The Divisional Manager
TANTEA
Naduvattam Tea division
Naduvattam P.O.
Nilgiris District – 643 224.
4. The Administrative Officer
The Tamilnadu Tea Plantation Corporation Ltd.,
Coonoor, Nilgiris District – 643 101.

HEMANT CHANDANGOUDAR, J.,

mk

W.P.Nos.22235, 22236 & 22237 of 2016



WEB COPY



W.P.Nos.22235, 22236 & 22237 of 2016

28.01.2026