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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP No. 29367 of 2024

K.Ponni
Central Nazir, The Principal District Court,
Perambalur.

..Petitioner(s)

Vs

1. The Principal District Judge
The Principal District Court, Perambalur.
2. The Judge
The Family Court, Perambalur.
3. The Registrar General
The Honorable Madras High Court, Chennai.
4. K.Manju
Head Clerk, The Principal District Court,
Perambalur.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India to call for the entire records of the impugned orders dated 23.05.2022 and 09.07.2024 passed by the 2nd and 1st respondents respectively and quash the same and consequentially direct the 1st and 2nd respondents to grant increment along with dearness allowance to the petitioner for the year 2022 similar to the 4th respondent and pass

WP No. 29367 of 2024

For Petitioner(s): Ms.C.Sangamithirai

For Respondent(s): Mr. J.Chandran Sundar Sashikumar,
Standing Counsel for R1 to R3

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

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Non-sanctioning of increment attached to the post of translator in Judicial Department to the writ petitioner resulted in instituting the present writ petition.

2. Presently, the writ petitioner is holding the post of Head Clerk at Additional Mahila Court, Perambalur. She was promoted as translator, Mahila Court, Perambalur, vide order dated 28.03.2017, passed by the learned Principal District Judge, Perambalur. She joined in the post of translator on 31.03.2017. She was receiving the increment in the promotional post from the year 2017 till the year 2021. Thereafter, the increment sanctioned was stopped which resulted in filing a representation by the writ petitioner and subsequently, the present writ petition.

3. Learned counsel for the petitioner would mainly contend that the petitioner was promoted to the post of translator and therefore, she is entitled for the monetary benefit attached to the post including the increment. In the present case, soon after the promotion to the post of translator, increment was sanctioned and subsequently, stopped. That being the factum, the present writ petition is to be considered.



4. Learned counsel appearing on behalf of the respondents would oppose by stating that under Section 30 of the Tamil Nadu Government Servants (Conditional of Service) Act, 2016, for drawal of increment, the employee holding the post must possess the requisite qualification as contemplated under the relevant Service Rules. In the present case, the petitioner has not even passed the translation test (i) and (ii) which is the pre-requisite qualification for promotion to the post of translator in Judicial Department. In other words, an unqualified person was promoted to the post of translator by the Principal District Judge and pursuant to the order of this Court, actions are initiated against the learned Principal District Judge, who granted promotion to the writ petitioner in violation of the Act.

5. This Court has considered the rival submissions made between the parties to the lis.

6. Admittedly, the writ petitioner did not possess the requisite qualification to the post of translator in the Judicial Department. She has not passed the translation examination papers (i) and (ii). Even after promotion, she has not passed the said test. That being the factum, she is not entitled to claim any increment in view of Section 30 of the Tamil Nadu Government Servants (Conditional of Service) Act, 2016. The said provision in unambiguous term contemplates that increment is to be sanctioned only after acquiring the qualification or passing the test. Since the writ petitioner has not



passed the test so far, she is not eligible to draw the increment under the relevant service rules. That apart, disciplinary actions are proposed to be initiated against the learned Principal District Judge who granted promotion in violation of the statutory provisions.

7. For all these reasons, the writ petitioner has not established, even a semblance of legal rights for considering the relief as such, sought for. Thus, the Writ Petition stands dismissed. No costs.

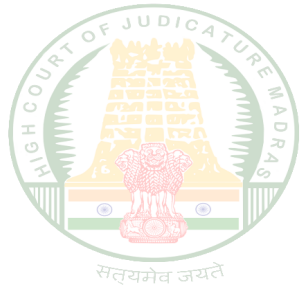
(S.M.S.,J.) (N.S.,J.)
02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

1. The Principal District Judge
The Principal District Court, Perambalur.
2. The Judge
The Family Court, Perambalur.
3. The Registrar General
The Honorable Madras High Court, Chennai.
4. K.Manju
Head Clerk, The Principal District Court,
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S.M.SUBRAMANIAM J.
and
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