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W.A.No.1611 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.1611 of 2026

and

C.M.P.Nos.14841 and 14842 of 2026

P.Akila

W/o.M.L.Tejvanth

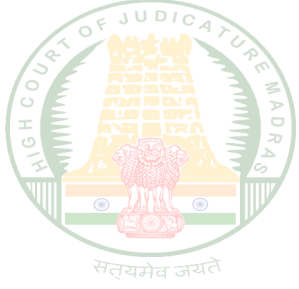
... Appellant

vs.

1. The Director of Elementary Education,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.
2. The District Educational Officer (Elementary),
Hosur Educational District,
Krishnagiri District.
3. The Block Educational Officer – I,
Thally Union,
Krishnagiri District.

... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 25.03.2025 passed in W.P.No.30518 of 2024.



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For Appellant : Mr.G.Sankaran
Senior Counsel for
Mr.S.Nedunchezhiyan

For Respondents : Dr.R.Gouri
Government Counsel

J U D G M E N T

[Made by **S. M. SUBRAMANIAM, J.,**]

The present intra-Court appeal has been instituted challenging the order dated 25.03.2025 passed in W.P.No.30518 of 2024.

2. The short point to be considered in the present appeal is, whether the appellant / writ petitioner is eligible for promotion to the post of Primary School Headmaster on par with her juniors on 14.02.2022, based on the panel of the year 2021 (the crucial date being 01.01.2021).

3. The appellant / writ petitioner is holding the post of Secondary Grade Teacher. The next avenue for promotion is the post of Primary School Headmaster. She is fully qualified for the promotion, and her name was included in the approved panel for the year 2018 for promotion to the post of Primary School Headmaster. Admittedly, the crucial date for

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preparation of the panel was 01.01.2018. The name of the appellant was included in the approved panel, and she also participated in the counseling conducted for promotion. However, on 20.06.2018, the appellant submitted a letter relinquishing her right to promotion for a temporary period of three years. The letter of relinquishment clearly shows that the appellant was aware of the crucial date for preparation of the panel as well as the date of approval of the panel. The temporary relinquishment letter given by the appellant was accepted by the competent authority, and consequently, her name was not considered for promotion for a period of three years. The relinquishment period of three years expired on 16.06.2021. The panel for the year 2021 was prepared with the crucial date being 01.01.2021. As on 01.01.2021, the relinquishment period of three years had not expired and therefore, the name of the appellant was not included in the panel list for promotion to the post of Primary School Headmaster. Only after the expiry of the relinquishment period of three years on 16.06.2021, the petitioner became eligible for promotion. Since the crucial date for the panel of the year 2021 was 01.01.2021, her name was not considered.

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4. Claiming inclusion of her name in the panel list of the year 2021, the writ petition came to be instituted.

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5. The learned single Judge, elaborately considered the facts as well as the effect of relinquishment made by the appellant and dismissed the writ petition.

6. The governing legal principles for promotion are that inclusion in a promotion panel cannot be claimed as an absolute right. However consideration for promotion is a fundamental right of an employee. All eligible employees are to be considered for promotion in accordance with the promotion rules in force. Relinquishment of promotion is a right of an employee. Once an employee relinquishes his / her promotion, the name of such employee is to be considered only after the expiry of the relinquished period.

7. In the present case, the period of relinquishment expired on 16.06.2021, but the crucial date for the panel for the year 2021 was 01.01.2021 and thus, the name of the appellant was not included in the panel for the year 2021. The action of the respondents in not including



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the name of the appellant in the panel for the year 2021 is based on the relinquishment letter given by the appellant and therefore, there is no infirmity as such. Thus, the Writ Appeal stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

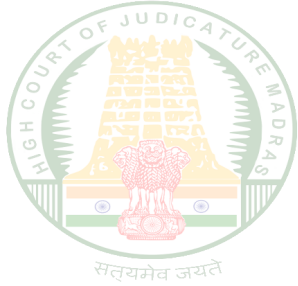
(S.M.S.,J.) (N.S.,J.)
22.06.2026

Index : Yes
Neutral Citation : Yes
Speaking order

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To

1. The Director of Elementary Education,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.
2. The District Educational Officer (Elementary),
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and
N.SENTHILKUMAR, J.,**

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