



W.A(MD)No.550 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.A(MD)No.550 of 2026

K.Maruthamuthu

... Appellant/Petitioner

vs.

1.The Director of School Education,
College Road,
Chennai-600 009.

2.The District Education Officer,
Karur District,
Karur.

... Respondents/Respondents

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the common order dated 09.09.2025 made in W.P(MD)No.3047 of 2021.

For Appellant

: Mr.N.Marimuthu

For Respondents

: Mr.J.Ashok
Additional Government Pleader



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JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.)

Challenging the order of the learned Single Judge dismissing the writ petition, the writ petitioner has filed the present writ appeal.

2. The writ petitioner was initially appointed as a Watchman in the Government High School, Aragunipalayam, and was subsequently promoted as an Office Assistant. His services were regularised on 03.08.1993. He attained the age of superannuation on 30.04.2016. According to the petitioner, he was not granted any further promotion during his service, and therefore, he sought a direction for promotion by considering his representation. The said representation was rejected by the second respondent through the impugned order dated 29.12.2020. Aggrieved by the same, the petitioner filed W.P.(MD) No.3047 of 2021 before the learned Single Judge. The learned Single Judge, considering the delay and the fact that the petitioner had already superannuated, dismissed the writ petition.



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3. We have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2, and perused the entire materials available on record.

4. Though the petitioner was initially appointed as a Watchman and later promoted as an Office Assistant, and his services were regularised on 03.08.1993, the records clearly show that Selection Grade was also granted to him with effect from 30.01.2001. Be that as it may, even assuming that the petitioner was not granted any further promotion, he ought to have challenged the same during his service period. It is relevant to note that while the right to be considered for promotion is a fundamental right, there is no absolute right to promotion. The right to be considered for promotion and the right to promotion are distinct. Therefore, merely because the petitioner had a right to be considered for promotion but was not promoted, after a lapse of several years and after attaining the age of superannuation, he cannot, as a matter of right, seek retrospective promotion with notional benefits.



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WEB COPY 5. In view of the above, we do not find any merit in the writ appeal. The learned Single Judge has rightly dismissed the writ petition. Accordingly, the writ appeal is dismissed. No costs.

[N.S.K.,J.] [M.J.R.,J.]
20.04.2026

NCC : Yes / No

Index : Yes / No

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N.SATHISH KUMAR,J.
and
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ORDER MADE IN
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