

**(2002) 11 MAD CK 0132**

**Madras High Court**

**Case No:** Writ Petition No. 5497 of 1996

---

N. Muthukumarasamy APPELLANT  
Vs  
Life Insurance Corporation of RESPONDENT  
India

---

**Date of Decision:** Nov. 12, 2002

**Acts Referred:**

- Constitution of India, 1950 - Article 226

**Hon'ble Judges:** P.K. Misra, J

**Bench:** Single Bench

**Advocate:** N. Kannadasan, for the Appellant; M. Jagadeesan, for the Respondent

---

### **Judgement**

@JUDGMENTTAG-ORDER

P.K. Misra, J.

Heard the learned counsels appearing for the parties. In this writ petition, the petitioner has prayed for a direction to the respondent to give promotion to the petitioner.

2. From the counter affidavit it appears that one of the ground for not considering the promotion of the petitioner was that there was some dispute relating to community certificate. Said dispute has been resolved to-day by a separate order in W.P. No. 1496 of 1997.

3. It is stated by the counsel for the respondent that during pendency of the writ petition, the petitioner had been promoted. Learned counsel for the petitioner, however, submitted that the petitioner should be considered for promotion from the year 1996 as Assistant Administrative Officer.

4. The question of giving the benefit of promotion from such date or from any later date should be considered by the employer in accordance with law keeping in view all the relevant aspects such as eligibility, seniority, merit, etc.

5. For the aforesaid reasons, I dispose of the writ petition with a direction to the respondent to consider the question of giving promotion to the petitioner with effect from any earlier date may be considered in accordance with the relevant rules and regulations within a period of three months from the date of communication of the order. There would be no order as to costs.