



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. Nos.76 and 281 to 283 of 2014
M.P. No.1 of 2014 in W.A. No.76 of 2014
M.P. Nos.1 & 2 of 2014 in W.A. No.281 of 2014
M.P. Nos.2 & 3 in W.A. No.282 of 2014
M.P. Nos.2 & 3 in W.A. No.283 of 2014

W.A. No.76 of 2014:

- 1 The Government of Tamil Nadu
represented by its Secretary to Government
School Education Department
Secretariat, Chennai 600 009
- 2 The Director of School Education
Nungambakkam, Chennai 600 006
- 3 The District Elementary Educational Officer
Villupuram
- 4 The Assistant Elementary Educational Officer
Rishivandiyam, Villupuram District

...Appellants

vs.

M. Alexander

...Respondent

W.A. No.281 of 2014:

- 1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Fort St. George, Chennai 600 009
- 2 The Director of School Education
Nungambakkam, Chennai 600 006



3 The Chief Educational Officer
Villupuram, Villupuram District

...Appellants

vs.

K. Gopinathan

...Respondent

W.A. No.282 of 2014:

1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Fort St. George
Chennai 600 009

2 The Director of School Education
Nungambakkam
Chennai 600 006

3 The Chief Educational Officer
Villupuram
Villupuram District

...Appellants

vs.

A. Indira

...Respondent

W.A. No.283 of 2014:

1 The Government of Tamil Nadu
represented by the Secretary to Government
School Education Department
Fort St. George
Chennai 600 009

2 The Director of School Education
Nungambakkam, Chennai 600 006

3 The Chief Educational Officer
Villupuram
Villupuram District

...Appellants

vs.

G. Selvakumari

...Respondent



Prayer in W.A. No.76 of 2014:

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order dated 18.04.2013 passed in W.P. No.30694 of 2012.

W.P.No. 30694 of 2012 filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in relation to Para 22 of the proceedings issued in Na.Ka.No.12118/T1/2011 dated 13.9.2011 passed by the 2nd respondent and consequential proceedings of the 3rd respondent passed in Na.Ka.No.4656/A3/2011 dated 10.10.2012 and quash the same and directing the respondents to include the name of the petitioner in the panel of promotion as on 1.1.2011 in appropriate place as per seniority for the post of Middle School Head Master in the Rishivandiam Range and promote the petitioner as Middle School Head Master with all consequential benefits.

Prayer in W.A. No. 281 of 2014:

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order dated 18.04.2013 passed in W.P. No.28864 of 2012.

Prayer in W.A. No. 282 of 2014:

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order dated 18.04.2013 passed in W.P. No.28871 of 2012.

Prayer in W.A. No. 283 of 2014:

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order dated 18.04.2013 passed in W.P. No.28872 of 2012.

W.P.No. 28864,28871, 28872 of 2012 are filed under Article 226 of the Constitution of India, praying tthis court to issue a Writ of Mandamus directing the respondents to include the name of the petitioner in the panel as on 1.1.2012 for promotion as Tamil Pandit in the appropriate place therein and to promote him as such with retrospective effect from the date of promotion of his immediate junior with consequential benefits



WEB COPY

For appellants in : Mr. N. Sakthivel
all W.As. Government Advocate

For respondent in :
WA No.76 of 2014 Mr. S.N. Ravichandran

For respondent in :
WA Nos.281-283/2014 Mr.N. Suresh

COMMON JUDGMENT

(Judgment of the Court was delivered by Satish K. Agnihotri, J.)

The Writ Court allowed the writ petitions filed by the respondents herein and issued a mandamus to the appellants herein to promote the respondents herein to the post of B.T. Assistant, taking into account the Teacher Training Course undergone by them.

2 According to the appellants, the respondents are not eligible for promotion as they have not undergone the Higher Secondary course before obtaining U.G. degree.

3 The learned counsel for the respondents submitted that the respondents have already been promoted pursuant to the direction issued by the Writ Court.

4 The Government have issued an order in G.O. Ms.No.165, School Education Department dated 15.10.2014 with regard to equivalence. As per the said Government Order, the certificate in Diploma in Teacher Training Course obtained prior to 1987 would be considered as equivalent to Plus Two. It is true that the said Government Order was given prospective effect. However, the fact remains that the respondents have been given promotion pursuant to the impugned orders passed by Writ Court. We, therefore, do not find any reason to interfere with the impugned orders, at this point of time.

5 In the result, these intra-Court appeals are dismissed. No costs. Connected Miscellaneous Petition are closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar



cad

To

WEB COPY

- 1 The Secretary to Government
Government of Tamil Nadu
School Education Department
Secretariat, Chennai 600 009
- 2 The Director of School Education
Nungambakkam, Chennai 600 006
- 3 The District Elementary Educational Officer
Villupuram
- 4 The Assistant Elementary Educational Officer
Rishivandiyam, Villupuram District
- 5 The Chief Education Officer,
Villupuram, Villupuram District.

1 CC to Mr. S.N. Ravichandran, Advocate SR.No. 3677

3 CCs to the Government Pleader, SR.No. 3745, 3969, 3970

W.A. Nos.76 and 281 - 283 of 2014

JP (CO)

PSI (05.02.2015)