

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.15454 of 2015
and
M.P.No.1 of 2015

V.Mala

... Petitioner

vs.

1.District Elementary Educational Officer,
Dharmapuri, Dharmapuri District.

2.Additional Assistant Elementary Educational Officer,
Palacode Panchayat Union,
Palacode, Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents to promote the petitioner as Headmistress of Elementary School from the date on which her junior was promoted on the basis of the panel drawn as on 01.01.2013 and confer all the consequential benefits by considering the representation dated 05.05.2015 made by the petitioner.

For Petitioner : Mr.C.Selvaraj Senior Counsel for
M/s.C.S.Associates

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

With the consent of both sides, the writ petition is taken up for final disposal.

2. The petitioner was appointed as Secondary Grade Teacher and posted at Panchayat Union Elementary School, Palacode Union, Dharmapuri District on 27.02.2001. The next avenue of promotion is to the post of Headmistress of Elementary School. The Palacode Union prepared a panel for promotion to the post of Headmistress of Elementary School as on 01.01.2013. The name of the petitioner is shown at Sl.No.7.

3. While so, the petitioner was transferred to Pappireddipatti Union on 24.05.2013 on administrative grounds and it was not on her request. The petitioner was again transferred to Palacode Union on 24.06.2014 from Pappireddipatti Union. According to the petitioner, in the panel drawn on 01.01.2013, upto Serial No.6 were promoted as Headmasters, while she was serving in Pappireddipatti Union.

4. The learned counsel for the petitioner would contend that the petitioner was transferred to Pappireddipatti Union on administrative ground and not on her request. Hence, when she was transferred back to her parent Union on her request, she cannot be treated as a junior most person in the Palacode Union.

5. The petitioner has filed this writ petition seeking for a direction to the respondents to promote her as Headmistress of Elementary School from the date on which her junior was promoted on the basis of the panel drawn as on 01.01.2013.

6. However, when writ petition was taken up for hearing, the learned counsel for the petitioner has submitted that the petitioner would be satisfied, if the representation dated 05.05.2015 to the first respondent is disposed of within a time frame.

7. In view of the limited prayer now made at the time of hearing, the writ petition is disposed of by directing the first respondent to pass orders on the representation of the petitioner dated 05.05.2015 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

svki
To

सतयमेव जयते Sub Assistant Registrar

1.District Elementary Educational Officer,
Dharmapuri, Dharmapuri District.

2.Additional Assistant Elementary Educational Officer,
Palacode Panchayat Union,
Palacode, Dharmapuri District.

+1cc to Mr.V.Ajay Khose, Advocate, S.R.No.25979

W.P.No.15454 of 2015

GP(CO)
CA(09/06/2015)