

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.06.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.17282 OF 2015 &
M.P.No.1 of 2015

S.Meera

[PETITIONER]

Vs

- 1 The Director of School Education
DPI Campus, College Road,
Chennai-600 006.
 - 2 The Joint Director of School Education (Personnel),
Office of Directorate of School Education,
DPI Campus, College Road,
Chennai-600 006.
 - 3 The Chief Educational Officer
Krishnagiri District, Krishnagiri.
 - 4 The Headmaster
Government Girls Higher Secondary School
Krishnagiri & District.
- [RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the Respondents 1 to 3 to pass appropriate orders for declaration of probation of Petitioner in the post of BT Assistant (English) on satisfactory completion of service as on 31.05.2008 with consequential benefits including payment of annual increments and other statutory benefits along with arrears of salary as well as inclusion of name of the Petitioner in the panel for promotion to the post of PG Assistant (English) for the year 2014-15 with consequential promotion by considering the proposal submitted by the 4th Respondent in Na.Ka.No. A2/2014 dated 01.02.2014 and also considering the representation submitted by the Petitioner dated 18.01.2013 in the light of Government orders issued in G.O.Ms.No.242 Higher Education (D1) Department dated 18.12.2012, within a time frame to be fixed by this Court

For Petitioner : Mr.G.Sankaran

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

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner was working as B.T.Assistant (English) recruited through the Teachers Recruitment Board. It is stated that the petitioner acquired B.A.(English) through Madras University after she underwent three years Diploma Course. Before undergoing the Diploma Course, the petitioner has passed 10th Standard.

3.According to the learned counsel for the petitioner, since the petitioner has passed the Diploma three years course after passing the 10th standard, the same is much higher than 'Plus Two' course and as per the Government Order in G.O.Ms.No.242, Higher Education dated 18.12.2012, passing of three years Diploma Course after passing of 10th standard would be treated as the person who obtained undergraduate degree course (3 years) in 10+2 pattern. However, on the ground that the petitioner did not obtain degree after completion of '10+2' pattern, her name was not included in the panel for promotion to the post of P.G. Assistant (English) for the year 2014-15, while the name of her juniors were included. Furthermore, her probation has not yet been declared on the sole ground that she acquired the B.A.(English) degree, not after passing regular 10+2 pattern.

4.The petitioner made a representation dated 18.1.2013 to the second respondent through proper channel to the fourth respondent, seeking to declare her probation, in the light of G.O.Ms.No.242. The fourth respondent has also forwarded the proposal on 8.2.2014, to the second respondent seeking to declare the probation of the petitioner.

5.In these circumstances, the second respondent is directed to pass orders on the proposals referred to above in the light of G.O.Ms.No.242, Higher Education Department dated 18.12.2012, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is ordered accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rpa

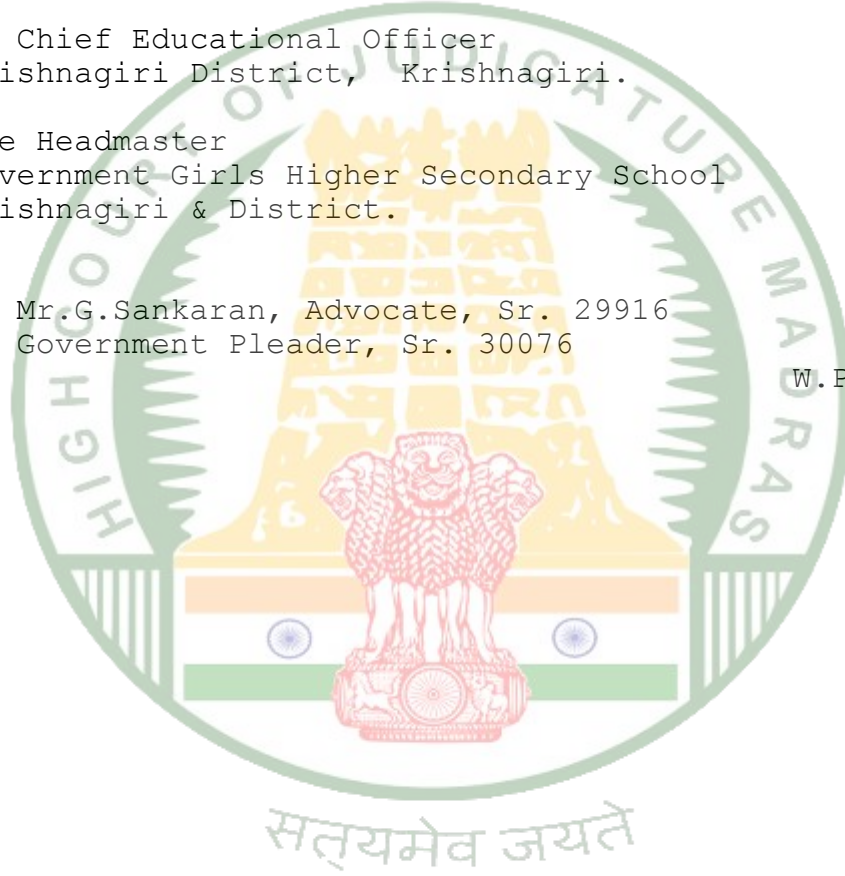
To

- 1 The Director of School Education
DPI Campus, College Road,
Chennai-600 006.
- 2 The Joint Director of School Education (Personnel),
Office of Directorate of School Education,
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Chennai-600 006.
- 3 The Chief Educational Officer
Krishnagiri District, Krishnagiri.
- 4 The Headmaster
Government Girls Higher Secondary School
Krishnagiri & District.

- 1 cc to Mr.G.Sankaran, Advocate, Sr. 29916
1 cc to Government Pleader, Sr. 30076

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