

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.06.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.17291 OF 2015

S.Karthikeyan

... PETITIONER

Vs

1. The District Educational Officer
Chennai South,
Egmore, Chennai-8.
2. The Secretary
C.D. Nayagam Theagaraya Nagar Higher
Secondary School
Theagaraya Nagar
Chennai-600 017.

... RESPONDENTS

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents to consider the representation submitted by the Petitioner dated 16/12/2013 & 06/03/2014 for promotion to the post of B.T. Assistant (Social Science) in the existing vacancy in the 2nd Respondent School on consideration that there is no B.T. Assistant (Social Science) working in the 2nd Respondent School as on the date and consequently direct the 2nd Respondent to approve promotion to the Petitioner for the purpose of assessment of salary grant within a time frame to be fixed by this Honourable Court

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.V.Jayaprakash Narayanan -R1
Special Government Pleader

WEB COPY O R D E R

Since the prayer lies in a narrow compass, no notice is required to the second respondent and with the consent of the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first respondent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner is working in the second respondent school from 06.06.2007. He has acquired B.A.(History) from University of Madras and also acquired B.Ed., qualification from Annamalai University in

May 2013. According to the petitioner, he is eligible to be promoted to the post of B.T.Assistant (Social Science).

3.A vacancy arose in the post of B.T.Assistant (Social Science) on 23.08.2012, due to the promotion of one Tmt.Bala Meenakshi as P.G.Assistant and subsequently another vacancy arose to the post of B.T.Assistant (Social Science) due to the retirement of Rama Lakshmi on 31.12.2013.

4.According to the petitioner, he is now teaching Social Science for the students in 10th standard in the second respondent school, as could be seen from the 'Performance Appraisal' submitted by the P.G. Assistant (History) of the second respondent School dated 18.3.2014. Hence, he submitted representations dated 16.12.2013, 06.03.2014, to the second respondent to consider him for promotion to the post of B.T. Assistant (Social Science). As no orders were passed, the petitioner has come forward with this Writ Petition, with the aforesaid prayer.

5.Considering the limited scope of the prayer now sought for in this Writ Petition, the second respondent is directed to consider the representations submitted by the petitioner dated 16.12.2013, 06.03.2014, for promotion to the post of B.T. Assistant (Social Science), and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rpa

To

1. The District Educational Officer
Chennai South,
Egmore, Chennai-8.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.29914
+1cc to the Government Pleader, S.R.No.30075

W.P.No.17291 of 2015

KM(CO)
CA(26/06/2015)