

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.18149 of 2015
and
M.P.Nos.1 and 2 of 2015

Mrs.M.Flarance

...Petitioner

-Versus-

1. The District Elementary Educational Officer,
Thiruvallur District.
2. The Assistant Elementary Educational Officer,
Ramakrishnaraju Pet (R.K.Pet),
Thiruvallur District -631 303.
3. The Manager/Correspondence,
M.D.Elementary School,
Janagarajakuppam,
Via Ammaiarkuppam,
Thiruvallur 631 301.
4. Tmt.S.Bharathi Jothi Grace,
Secondary Grade Assistant,
M.D.Elementary School,
Janagarajakuppam,
R.K. Pet, Thiruvallur 631 301.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent dated 01.06.2015 and to quash the same and consequently direct the respondents 1 to 3 to promote the petitioner as Headmistress of M.D. Elementary School, Janagarajakuppam, Thiruvallur District.

For petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.S.Gunasekaran

ORDER

The petitioner is a secondary grade teacher and she was working in M.D.Elementary School, Janagarajakuppam, R.K.Pet, Thiruvallur District. It is stated by the petitioner that she has put in more than 30 years of service as secondary grade teacher and she is a fit person to be considered for promotion to the post of Headmistress. While so, by order dated 22.04.2013, the 1st respondent transferred her from M.D. Elementary School to A.N.M.Middle School, Ammaiyarkuppam, R.K. Pet Union, Thiruvallur District. According to the petitioner, the transfer was not effected at her instance and so, she has got lien even in the erstwhile school. While so, the respondents 1 and 3 did not only fail to consider the representation of the petitioner for promotion, but, the 3rd respondent choose to promote the 4th respondent as Headmistress by his proceedings dated 01.06.2015 as well. In these circumstances, seeking to quash the impugned order of the 3rd respondent promoting the 4th respondent as Headmistress of the School, the petitioner has come forward with this writ petition.

2. Though the impugned proceeding promoting the 4th respondent is sought to be quashed, the learned counsel for the petitioner during the course of hearing of this writ petition, would on instructions from the petitioner submit that the petitioner would be satisfied if a direction is issued to consider the representation of the petitioner within a reasonable time.

3. I have heard the Government Advocate appearing for the respondents 1 and 2 as well.

4. Considering the limited scope of the prayer and taking into consideration of the fact that the representation of the petitioner is pending, without going into the merits of the case, the 1st respondent is directed to consider the representation of the petitioner dated 10.06.2015 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order. If the 1st respondent decides to pass any adverse order against the 4th respondent, she shall also be heard before passing any such order. This writ petition is, accordingly, disposed of. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Elementary Educational Officer,
Thiruvallur District.

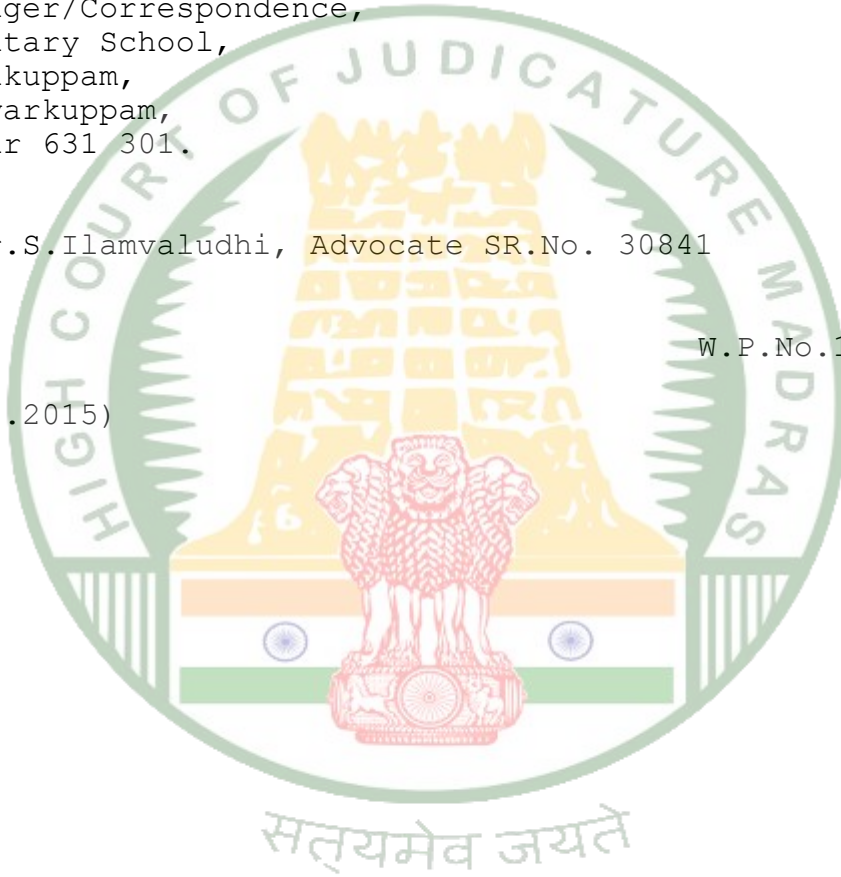
2.The Assistant Elementary Educational Officer,
Ramakrishnaraju Pet (R.K.Pet),
Thiruvallur District -631 303.

3.The Manager/Correspondence,
M.D.Elementary School,
Janagarajakuppam,
Via Ammaiyarkuppam,
Thiruvallur 631 301.

1 CC to Mr.S.Ilamvaludhi, Advocate SR.No. 30841

W.P.No.18149 of 2015

PPA (CO)
PSI (09.07.2015)



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