

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 06-07-2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19710 OF 2015

Yoganand

...

Petitioner

-vs-

1.The Director of School Education,  
DPI Campus,  
College Road,  
Chennai-600 006.

2.The Joint Director (Personnel),  
DPI Campus,  
College Road,  
Chennai-600 006.

...

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the second respondent to consider the last date of examination for the departmental test which is 31.12.2003 as the date for consideration of eligibility instead of the date of the publication of the result which is 16.03.2004 and accordingly include the name of the petitioner in the panel for promotion to the post of Assistant in the year 2004-2005 and consequently direct the second respondent to correct the seniority list prepared for promotion in the post of Superintendent in proceedings in Na.Ka.No.23254/A3/E1/2014, dated 28.11.2014, by placing the petitioner in the appropriate place in the post of Assistant in the year 2004-2005.

For petitioner : Mrs.Dakshayani Reddy

For respondents : Mrs.M.E.Rani Selvam,  
Addl.Govt.Pleader.

W E B C O P Y  
O R D E R

The petitioner was appointed as a Junior Assistant and later he was promoted as an Assistant. The grievance of the petitioner is that the last date of examination for the departmental test has to be taken into consideration instead of the publication of the result of the departmental test for inclusion of the name of the petitioner in the panel for promotion to the post of Assistant for the year 2004-2005.

2. The petitioner places reliance on the following judgments of this Court :

1. W.P.No.18573 of 2010, dated 02.09.2010 -  
M.Murugesan v. Director of Elementary Education  
& Others.

2. W.P.No.17095 of 2012, dated 13.07.2012 -  
K.Nedumaran v. Director of Elementary Education  
& Another.

3. W.P.No.16229 of 2012, dated 09.11.2012 -  
T.Vimala Rose v. Director of School Education &  
Others.

4. W.A.No.803 of 2013, dated 27.02.2015 -  
Director of Elementary Education & Another v.  
K.Nedumaran.

3. Though a representation has been enclosed in the typed set of papers addressing to the respondents, seeking to take the last date of examination for the departmental test as the crucial date for inclusion in the panel for promotion, the acknowledgement is not available.

4. Hence, this Writ Petition is disposed of, permitting the petitioner to submit a fresh representation to the second respondent, namely, Joint Director (Personnel), who, on receipt of such representation, is directed to dispose of the same in the light of the judgments referred to above and 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

True Copy

Sub Assistant Registrar

dixit

To

1.The Director of School Education,  
DPI Campus,  
College Road,  
Chennai-600 006.

2.The Joint Director (Personnel),  
DPI Campus,  
College Road,  
Chennai-600 006.

1 cc to Government Pleader.Sr.No.33976

1 cc to M/s.Dakshayani Reddy, Advocate, sr.33456(28/10/2015)

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