

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 06-07-2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19712 OF 2015

D.Saravanan

...

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 first respondent to consider the appeal of the petitioner dated 20.05.2014 and 25.07.2014 by considering the last date of examination for the departmental test which is 28.12.2002 as the date for consideration of eligibility instead of the date of the publication of the result which is 16.03.2003 and accordingly include the name of the petitioner in the panel for promotion to the post of Assistant in the year 2002-2003 on the date when his immediate junior was promoted and consequently revise the seniority of the petitioner in the post of upgraded Superintendent with all consequential benefits.

For petitioner : Mrs.Dakshayani Reddy

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

ORDER

The petitioner was appointed as a Junior Assistant and later he was promoted as an Assistant. Thereafter, he was further promoted as Desk Superintendent. The grievance of the petitioner is that his seniority should be appropriately fixed in the post of Assistant taking into account the last date of examination for the departmental test 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 2002-2003. In this

regard, the petitioner preferred appeals, dated 20.05.2014 and 25.07.2014, before the first respondent.

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. Considering the facts and circumstances of the case, the first respondent is directed to dispose of the aforesaid appeals of the petitioner, dated 20.05.2014 and 25.07.2014, in the light of the judgments referred to above and on merit and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

4. Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar (CSIII)
dt:28/07/2015

True Copy

Sub-Assistant Registrar

dixit

To

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

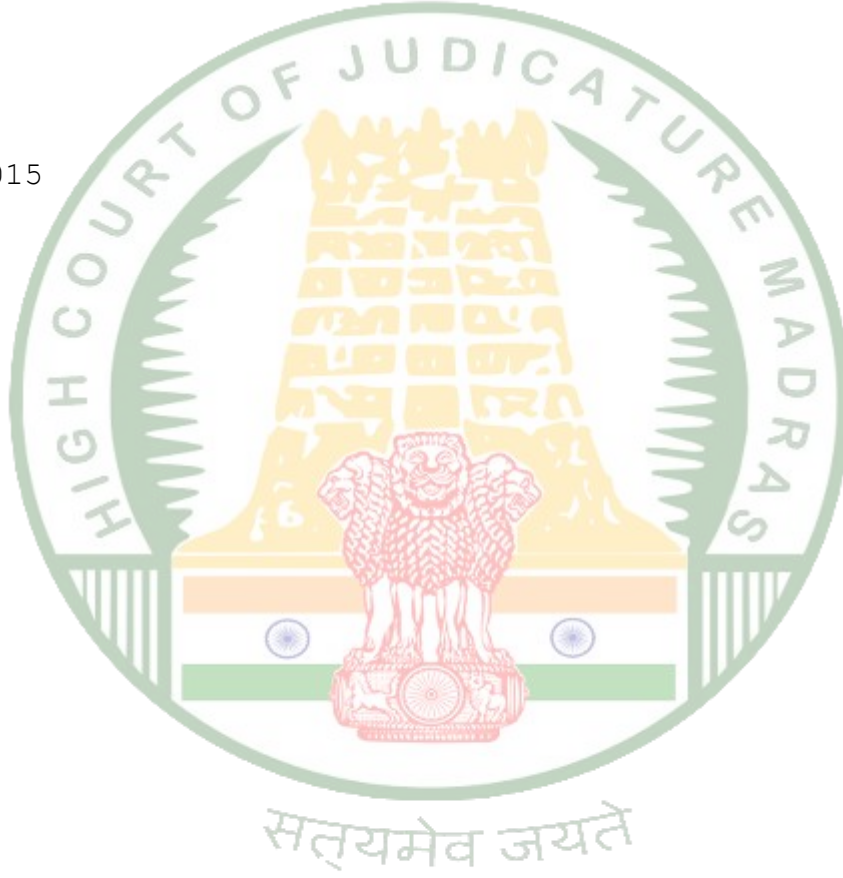
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2.The Joint Director (Personnel),
DPI Campus,
College Road,
Chennai-600 006.

+1 cc to Government Pleader sr.33973
+1 cc to Mrs.Dakshayani Reddy Advocate sr.33455/15

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