

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.2658 of 2014 and
M.P.No.1 of 2014

Tamil Nadu Private School Teacher Sangam
Rep. by its General Secretary,
K.Palani

...Petitioner

-vs-

- 1.The Chief Educational Officer,
Chennai Educational District,
Saidapet, Chennai - 600 015.
- 2.The District Educational Officer,
Central Madras District,
Saidapet, Chennai -15.
- 3.The Correspondent and Secretary,
Y.M.C.A. Sports Higher Secondary School,
Nandanam, Chennai -35.
- 4.Jayalakshmi Raman

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing respondents to dispose the representation dated 03.10.2013.

For Petitioner : Mr.D.Bharathy

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

According to the petitioner Sangam, it is functioning in the third respondent school for the past 33 years. The 4th respondent was appointed as Junior Assistant in the year 2005. It is stated that thereafter she was given promotion to the post of Record Clerk. I am of the view that instead of stating that the 4th respondent was appointed as Office Assistant, the petitioner has wrongly mentioned that 4th respondent was appointed as Junior Assistant. Junior Assistant is higher post than Record Clerk.

2. The petitioner Sangam has submitted a representation dated 03.10.2013 to respondents 1 and 2 not to grant approval for promotion of the 4th respondent to the post of Record Clerk. The

petitioner has come up with this writ petition, seeking for a direction to the respondents to dispose of the said representation.

3. Heard both sides.

4. It is the case of the petitioner Sangam that a senior person to the 4th respondent was overlooked in the matter of promotion to the post of Record Clerk. If it is so, the concerned person should approach this Court questioning the promotion of the 4th respondent or the concerned person should make a representation in this regard. The concerned person is not before this Court. Hence, I am not inclined to issue a direction to the respondents to dispose of the representation. Further, it is also found from the representation dated 30.04.2013 that 4th respondent was to retire on 10.01.2014. At this point of time, she would have retired from service. Therefore, nothing survives for adjudication in this writ petition.

5. In the result, the writ petition fails and the same is dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Chief Educational Officer,
Chennai Educational District,
Saidapet, Chennai - 600 015.

2.The District Educational Officer,
Central Madras District,
Saidapet, Chennai -15.

+1 cc to M/s.D.Bharathy, Advocate,SR.19422

+1 cc to Government Pleader,SR.19892.

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W.P.No.2658 of 2014