

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27733 of 2015

S.Rajadurai

.. Petitioner

- Vs -

1. The Director,
Tamil Nadu Elementary Education Officer,
Chennai - 600 006.

2. The District Elementary Educational Officer,
District Elementary Education Office,
Erode District, Erode.

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent to strictly follow the guideline given by the first respondent vide proceeding Na.Ka.No.40899/ED1/95, dated 12.12.1995 for preparing the preferential list cum panel list for promotion and other benefits to the petitioner as a teacher recruited through the "Tamil Nadu Teachers Recruitment Board".

For Petitioner : Mr.V.Vijayakumar

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner was selected and given appointment as Secondary Grade Teacher by the first respondent vide proceeding dated 11.12.2012 and placed in Kattupalayam Elementary School, Anthiyur, Erode District vide proceedings of the second respondent dated 14.12.2012 followed by the proceedings of the Assistant Elementary Education Officer dated 17.12.2012. The petitioner would state that the second respondent has to prepare preferential list cum yearly panel list for promotion and other consequential service placements and benefits. To the shock and surprise of the petitioner, the preferential list for promotion was prepared as per the Date of Birth and not by merit list prepared at the time of selecting the petitioner and in this regard, he has submitted a representation

dated 05.08.2015 and though it was received and acknowledged on 06.08.2015, he has not been favoured with any response and hence came forward to file this writ petition.

3. Heard the submissions of Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2.

4. Though the petitioner prays for a larger relief, in the light of the facts and circumstances of the case, this Court directs the second respondent to consider and dispose of the representation of the petitioner dated 05.08.2015, on merits and in accordance with law, after putting on notice the persons concerned and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Director,
Tamil Nadu Elementary Education Officer,
Chennai - 600 006.
2. The District Elementary Educational Officer,
District Elementary Education Office,
Erode District, Erode.

+1cc to Mr.V. Vijayakumar, Advocate, S.R.No.47940

+1cc to the Government Pleader, S.R.No.48080

EV(CO)
EU(24/09/2015

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