

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.Nos.28872 to 28875 of 2015

And

M.P.Nos.1 to 1 of 2015

P.Gopalan ... Petitioner in W.P.No.28872 of 2015
P.Panneerselvam ... Petitioner in W.P.No.28873 of 2015
S.Venugopal ... Petitioner in W.P.No.28874 of 2015
N.Maheshkumar ... Petitioner in W.P.No.28875 of 2015

Vs.

- 1 Director of Adi Dravidar
Welfare Chepauk Chennai-600 005.
- 2 District Adi Dravidar
and Tribal Welfare officer Erode
Erode District. Respondents in all W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to draw panel for the year 2012-2013 for the post of B.T.Assistant (Mathematics), B.T.Assistant (English), B.T.Assistant (English) and B.T.Assistant (English) respectively as on 01.03.2012 and promote the petitioner as B.T.Assistant (Mathematics), B.T.Assistant (English), B.T.Assistant (English) and B.T.Assistant (English) respectively, with due seniority and confer all the consequential benefits.

For Petitioners: Mr.C.Selvaraju
Senior Counsel
for M/s.C.S.Associates
For Respondent: Mr.S.Gunasekaran
Government Advocate

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal.

2.The petitioner in W.P.No.28872 of 2015 after obtaining Diploma in Teacher Education in 2005 was appointed as Secondary Grade Assistant on 26.02.2008 in Adi Dravidar Welfare Department and posted at Government Tribal Residential Elementary School, Sundakaraduperumapalayam, Gobichettipalayam Taluk, Erode District and probation was successfully declared on 25.02.2009. The petitioner would claim that he has also passed B.Sc.(Mathematics) in the year 2009 and B.Ed. in the year 2011 and he is fully qualified to the post of B.T.Assistant (Mathematics) and that the crucial date of drawal of panel for promotion to the said post was on 01.03.2012 and though qualified hands are available, the panel was not drawn and in this regard, the petitioner submitted representation to the respondent and since no orders have been passed filed W.P.No.22521 of 2014 praying for appropriate relief and this Court has directed the respondent to keep one post of B.T.Assistant vacant and subsequently, the petitioner has withdrawn the said writ petition and the petitioner was optimistic that the panel to promotion for the said post is to be drawn and consequently, he will be accommodated, but no progress took place so far and in this regard also, submitted representation dated 26.08.2015 and since no orders have been passed, came forward to file the writ petition.

3.The petitioner in W.P.No.28873 of 2015 after obtaining Diploma in Teacher Education in 2005 was appointed as Secondary Grade Assistant on 23.10.2006 in Adi Dravidar Welfare Department and posted at Government Tribal Residential Elementary School, Bathripadugu, Sathyamangalam Taluk, Erode District and probation was successfully declared on 22.10.2008. The petitioner would claim that he has also passed B.A.(English) in the year 2008 and B.Ed. in the year 2011 and he is fully qualified to the post of B.T.Assistant (English) and that the crucial date of drawal of panel for promotion to the said post was on 01.03.2012 and though qualified hands are available, the panel was not drawn and in this regard, the petitioner submitted representation to the respondent and since no orders have been passed filed W.P.No.22522 of 2014 praying for appropriate relief and this Court has directed the respondent to keep one post of B.T.Assistant vacant and subsequently, the petitioner has withdrawn the said writ petition and the petitioner was optimistic that the panel to promotion for the said post is to be drawn and consequently, he will be accommodated, but no progress took place so far and in this regard also, submitted representation dated 26.08.2015 and since no orders have been passed, came forward to file the writ petition.

4.The petitioner in W.P.No.28874 of 2015 after obtaining Diploma in Teacher Education in 2005 was appointed as Secondary Grade Assistant on 16.06.2006 in Adi Dravidar Welfare Department and posted

at Government Tribal Residential Middle School, Bargur, Anthiyur Taluk, Erode District and probation was successfully declared on 15.06.2008. The petitioner would claim that he has also passed B.A. (English) in the year 2009 and B.Ed. in the year 2011 and he is fully qualified to the post of B.T.Assistant (English) and that the crucial date of drawal of panel for promotion to the said post was on 01.03.2012 and though qualified hands are available, the panel was not drawn and in this regard, the petitioner submitted representation to the respondent and since no orders have been passed filed W.P.No.22524 of 2014 praying for appropriate relief and this Court has directed the respondent to keep one post of B.T.Assistant vacant and subsequently, the petitioner has withdrawn the said writ petition and the petitioner was optimistic that the panel to promotion for the said post is to be drawn and consequently, he will be accommodated, but no progress took place so far and in this regard also, submitted representation dated 26.08.2015 and since no orders have been passed, came forward to file the writ petition.

5.The petitioner in W.P.No.28875 of 2015 after obtaining Diploma in Teacher Education in 2005, was appointed as Secondary Grade Assistant on 26.02.2007 in Adi Dravidar Welfare Department and posted at Government Welfare Elementary School, Anthiyur Colony, Anthiyur, Erode District and probation was successfully declared on 25.02.2009. The petitioner would claim that he has also passed B.A.(English) in the year 2008 and B.Ed. in the year 2010 and he is fully qualified to the post of B.T.Assistant (English) and that the crucial date of drawal of panel for promotion to the said post was on 01.03.2012 and though qualified hands are available, the panel was not drawn and in this regard, the petitioner submitted representation to the respondent and since no orders have been passed filed W.P.No.22523 of 2014 praying for appropriate relief and this Court has directed the respondent to keep one post of B.T.Assistant vacant and subsequently, the petitioner has withdrawn the said writ petition and the petitioner was optimistic that the panel to promotion for the said post is to be drawn and consequently, he will be accommodated, but no progress took place so far and in this regard also, submitted representation dated 26.08.2015 and since no orders have been passed, came forward to file the writ petition.

6.Heard the submissions of Mr.C.Selvaraju, learned Senior Counsel appearing for the petitioners and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

7.Though the petitioners prayed for a larger relief, this Court in the light of the facts and circumstances, directs the second respondent to consider and dispose of the petitioners representations dated 11.08.2014, 14.08.2014 and 26.08.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the

decision taken, to the petitioners. Till then, defer further decision to fill up the vacancies.

8.The writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1 Director of Adi Dravidar
Welfare Chepauk Chennai-600 005.

2 District Adi Dravidar
and Tribal Welfare officer Erode
Erode District.

+4 ccs to M/s.C.S.Associates, Advocate, sr.50045
+1 cc to Government Pleader, sr.50279

W.P.Nos.28872 to
28875 of 2015

And
M.P.Nos.1 to 1 of 2015

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