

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32326 of 2015

1.I.Sarasu
2.J.Jayalaksmi
3.K.Amuthakousalya
4.K.Amuthavani ... Petitioners

Vs.

1 The Government of Tamil Nadu
Rep. by its Secretary to Government,
Education Department, Fort St. George,
Chennai-600009.

2 The Joint Commissioner,
Corporation of Chennai, Rippon Building,
Chennai - 600003

3 The Educational Officer,
Corporation of Chennai,
Rippon Building, Chennai - 600003

4 Assistant Educational Officer,
Corporation of Chennai,
Rippon Building, Chennai - 600003
... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents especially the 3rd Respondent to pass orders on the petitioners representation dated 21.07.2014 directing him to forthwith include the names of the petitioners' in the appropriate place in the seniority list of B.T.Assistants with effect from 27.03.2003 revising their eligible Scale of Pay considering the length of service apart from disbursing to them the full difference in monetary benefits entitled to the post of B.T.Assistants with effect from 27.03.2003 the date of absorption of their batch mates/juniors to the petitioners as B.T.Assistants on par with Tmt. P.N.Muthulatha & V.Varadhammal besides considering the name of the Petitioners for promotion as P.G.Assistants on par with their batchmates/juniors with all

service and monetary benefits.

For Petitioners : Mr.A.Amalraj
For Respondents : Mr.R.Vijayakumar for R1
Additional Government Pleader
Mr.G.Anantha Rangan for R2 to R4

O R D E R

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

2. The petitioners were initially appointed as Secondary Grade backlog vacancies on 17.08.2000 despite their claim that they were qualified for appointment as Graduate Assistant Teachers for the reason that they were in possession of higher educational qualification to hold the said post. However, oral assurance was given that all the petitioners would be absorbed as B.T.Assistant within a period of three years as and when vacancy arises. The seniority list of Secondary Grade Assistants for absorption as Graduate Assistant Teachers was prepared on 25.03.2004 and to the shock and surprise of the petitioners, their names have been omitted, whereas, the names of the juniors to the petitioners have been included and similarly nothing have happened even in the subsequent years 2005, 2006 and 2007 and only on 17.09.2008, the names of the petitioners were included in the seniority list for the year 2008 for absorption of B.T.Assistant Teachers. Since the names of the juniors of the petitioners have already been included prior to the names of the petitioners, their names are included for promotion to the post of Post Graduate Teachers and in this regard, a joint representation dated 21.07.2014 was submitted to the third respondent and though it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.A.Amalraj, learned counsel appearing for the petitioners, Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the first respondent and Mr.G.Anantha Rangan, learned counsel who accepts notice on behalf of the respondents 2 to 4.

4. Though the petitioners prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioners' representation dated 21.07.2014 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 the persons concerned.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

- 1 The Secretary to Government,
The Government of Tamil Nadu
Education Department, Fort St. George,
Chennai-600009.
- 2 The Joint Commissioner,
Corporation of Chennai, Rippon Building,
Chennai - 600003
- 3 The Educational Officer,
Corporation of Chennai,
Rippon Building, Chennai - 600003
- 4 Assistant Educational Officer,
Corporation of Chennai,
Rippon Building, Chennai - 600003

+1 cc to Mr.A.Amalraj Advocate sr.55723
+1 cc to Mr.G.Anantharangan, Advocate sr.55775
+1 cc to Government Pleader sr.56014

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