

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32582 of 2015

M.Narayana

... Petitioner

Vs.

- 1 The Government of Tamilnadu,
Rep. by its Secretary School Education
Department, Fort St. George, Chennai-9.
 - 2 The Director of School
Education, College Road, Chennai-6.
 - 3 The Chief Educational Officer,
Krishnagiri, Krishnagiri District.
 - 4 The District Education Officer,
Hosur,
Krishnagiri District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner to promote the petitioner as Middle School Headmaster (B.T.) with retrospective effect from the date of promotion of the immediate Junior and grant all consequential benefits in the light of the G.O.Ms.No.242 Higher Education Department dated 18.12.2012 and with a stipulate time as fixed by this Honourable Court.

For Petitioner : Mr.V.Thirupathi
For Respondents : Mr.N.Srinivasan
Additional Government Pleader

O R D E R

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

2.The petitioner has passed S.S.L.C. (old pattern) and Diploma in Teacher Education during the year 1983-85 and he was appointed as Secondary Grade Teacher vide proceedings of the fourth respondent dated 20.08.1986 and the services were regularised with effect from 22.08.1986 vide proceedings of the fourth respondent dated 12.04.1990. The petitioner claims to have passed B.A. through Telegu Medium in the year 2006 through Dr.B.R.Ambedkar University, Hyderabad, Andra Pradesh and B.Ed. in the year 2009 through Indira Gandhi Open University, New Delhi.

3.The petitioner made application for evaluation of B.A. issued by Dr.B.R.Ambedkar University, Hyderabad, Andra Pradesh and the fourth respondent informed him that appropriate action would be taken and the petitioner subsequently, submitted representation dated 16.03.2009 through proper channel since he has studied B.A. through Telegu medium and the fourth respondent forwarded the same to the third respondent for guidelines and the third respondent in turn forwarded it to the second respondent for issuing orders and it is pending.

4.The petitioner subsequently passed Higher Secondary Course during October, 2010 and once again made a representation dated 22.12.2010 for evaluation of the B.A. Degree and the matter is still pending before the third respondent, so also the further representation made during August, 2011. The petitioner has also made a claim for promotion to the post of Middle School Headmaster with retrospective effect from the date of his initial appointment and confer him with all consequential benefits in the light of the G.O.Ms.No.242, Higher Education Department, dated 18.12.2012 which came into being on 2012 as well as the common order dated 18.04.2013 made in W.P.Nos.28863 to 28879 of 2013 etc., batch and in this regard has also submitted a representation dated 01.07.2014 and since no orders have been passed, came forward to file this writ petition.

5.Heard the submissions of Mr.V.Thirupathi, learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances, directs the third respondent to act on the proposal dated 08.04.2009 sent by the fourth respondent and to pass orders as to the evaluation of the B.A. Degree obtained by the petitioner through Dr.B.R.Ambedkar University, Hyderabad, Andra Pradesh State as well as to consider and dispose of the petitioner's representation dated 01.07.2014 on merits and in accordance with law in the light of the above stated Government Order as well as

the common judgment 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 petitioner.

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

sd/
ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To

- 1 The Government of Tamilnadu,
Rep. by its Secretary School Education
Department, Fort St. George, Chennai-9.
 - 2 The Director of School
Education, College Road, Chennai-6.
 - 3 The Chief Educational Officer,
Krishnagiri, Krishnagiri District.
 - 4 The District Education Officer,
Hosur, Krishnagiri District.
- +1 CC to MR.V.Thirupathi Advocate. SR.NO. 56126

W.P.No.32582 of 2015

CO-AK
JD 28/10/2015

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