

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33527 of 2015

K.Sathianandan

... Petitioner

Vs.

1 The Director of Elementary
Education, College Road, Chennai-6.

2 The District Elementary
Educational Officer, Vellore District,
Vellore.

3 The Assistant Elementary
Educational Officer, Katpadi Panchayat Union,
Katpadi, Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose of the petitioner representation dated 21.3.2014 which was given to the 2nd respondent for grant of notional promotion as Middle School Headmaster and for the service and monetary benefits arising out of the same on merits within a time frame stipulated by this Honourable Court.

For Petitioner : Mr.A.S.Kaizer
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 would state that he was appointed as Secondary Grade Assistant Teacher on 31.01.1983 and by virtue of his seniority was promoted as Elementary School Headmaster on 21.07.2005 and was further promoted as B.T.Assistant (Science) and retired from service on superintending on 30.04.2012.

3.The grievance expressed by the petitioner is that though the post of Middle School Headmaster in Panchayat Union Middle School, Kammavar Pudur, Katpadi Panchayat Union, Vellore District fell vacant on account of the demise of the Headmaster of the said Middle School and he was in expression to be promoted as per his seniority in the panel, he was failed to be promoted and in this regard, has submitted representations dated 07.03.2012, 08.03.2012, 21.03.2012 and 30.04.2012 requesting the authorities to give promotion, as Middle School Headmaster on account of the fact that he is reaching the age of superannuation on 30.04.2012, it was not considered and in the interregnum, the petitioner retired on 30.04.2012. The petitioner thereafter submitted representation dated 31.03.2014 praying for notional promotion to the said post and conferment of consequential benefits and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.A.S.Kaizer, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

5.Though the petitioner 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 second respondent to consider and dispose of the petitioner's representation dated 21.03.2014 on merits and in accordance with law 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.

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

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 The Director of Elementary
Education, College Road, Chennai-6.
- 2 The District Elementary
Educational Officer, Vellore District,
Vellore.
- 3 The Assistant Elementary
Educational Officer, Katpadi Panchayat Union,
Katpadi, Vellore District.

+1 cc to M/s.A.S.Kaizer, Advocate (sr.57878)
+1 cc to Government Pleader (sr.57711)

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rsk(co)
cp 2/11/2015



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