

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAISWAMY

W.P.No.3520 of 2015

1 P.Nandini .. Petitioner

Vs

1 The Commissioner for the Differently Abled
Chennai-78.

2 The Government of Tamilnadu
Rep. by Secretary to Government
Welfare of Differently Abled (DAPI(1)) Department
Secretariat, Chennai-9. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to regularly promote the petitioner as Headmistress of Higher Secondary School pursuant to inclusion of her name in the panel for the year 2011-12 approved in Pro.Na.Ka. No.7114/ Si.Pa.2/2011 dated 16.8.2011 of the first respondent, consequent on the dropping of the Charge Memo No.9265/ Si.Pa.1/2011-2 dated 9.11.2011 and Charge Memo No.8529/ Si.Pa.1/ 2009 dated 12.7.2012 of the first respondent and absolving her from the charges and with the retrospective effect from the date of promotion of her immediate junior with all consequential benefits and also disburse her pay admissible to the post of Headmistress for the entire period of the petitioner's service in the said post.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.M.S.Ramesh,
Additional Government Pleader

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondents to regularly promote the petitioner as Headmistress of Higher Secondary School, pursuant to inclusion of her name in the panel for the year 2011-12 approved in the proceedings dated 16.8.2011 of the first respondent, consequent on the dropping of the Charge Memo dated 9.11.2011 and Charge Memo dated 12.7.2012 of the first respondent and absolving her from all the charges and with the retrospective effect from the date of promotion of her immediate junior with all

consequential benefits and also disburse her pay admissible to the post of Headmistress for the entire period of the petitioner's service. In this connection, the petitioner has given a representation before the respondents on 16.06.2014. The respondents have not considered the same till now.

2. The learned counsel for the petitioner submitted that the first respondent may be directed to consider the representation of the petitioner dated 16.06.2014 and pass orders within a stipulated time.

3. Mr.M.S.Ramesh, learned Additional Government Pleader, takes notice for the respondents and submits that the first respondent may be directed to consider the said representation of the petitioner and pass orders within the time frame.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to consider the petitioner's representation dated 16.06.2014 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ajr

To

- 1 The Commissioner for the Differently Abled
Chennai-78.
- 2 The Government of Tamilnadu
Rep. by Secretary to Government
Welfare of Differently Abled (DAPI(1)) Department
Secretariat, Chennai-9.

- 1 cc to M/s.M. Ravi, Advocate, Sr. 7720
1 cc to Government Pleader, Sr. 7881

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