

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.37091 of 2015

M.Rajendran

.. Petitioner

Vs.

1.The Government of Tamil Nadu
Represented by Secretary to Government,
School Education Department,
Secretariat, Chennai-600 009.

2. The Director of Adi Dravidar and Tribal
Welfare,
Chennai-600 005.

3. The District Adi Dravidar and Tribal
Welfare Officer, Erode. .. Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India praying for the issuance of Writ of
mandamus, directing the respondents to upgrade the post of
secondary Grade Assistant, to which the petitioner was
initially appointed to that of B.T.Assistant as he was holding
Graduate Teacher qualifications on the date of his initial
appointment and confer consequential service and monetary
benefits including revised pensionary benefits by considering
his representation dated 25.03.2010.

For Petitioner : Mr.G.Amalraj

For Respondents in : Mr.N.Srinivasan,
both WPs. Additional Government Pleader

O R D E R

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

2.The petitioner was appointed as Secondary Grade Teacher
in any by Pro.No.Ka.No.24301/2000/Tha.1 dated 06.09.2001 of
the District Adi Dravidar and Tribal Welfare Officer, Erode,
after his name was sponsored by the jurisdictional Employment
Exchange and he was posted to the G.T.R.School, Atroud,
Sathyamangalam Taluk, Erode District. According to the
petitioner, he has undergone Child Psychology for a period of

one month in the District Institute of Educational Training, in terms of G.O.Ms.No.113, School Education [S1] Department dated 14.03.1997.

3. The petitioner would state that after rendering four years of service as Secondary Grade Teacher, he was promoted as Graduate Teacher in and by proceedings Na.Ka.No.37585/2005/Tha.1 dated 07.09.2005 of the third respondent and posted as Graduate Teacher/Warden, Govt. Boys Hostel, Alampalayam and he served as such till 31.08.2015 in various schools and hostels and retired as Headmaster, Govt. Residential Middle School, Sholaganai Anthiyur Talukl Erode District, on 31.08.2015 A.N. Vide Pro.Na.Ka.No.23400/2015/Tha.1 dated 31.08.2015 of third respondent on re-employment. He was permitted to work till the completion of academic year 2016, that is from 01.09.2015 to 31.05.2016 vide proceedings of the third respondent in Na.Ka.No.23400/2015/T1/dated 31.08.2015.

4. The grievance of the petitioner is that though he had served more than 10 years in the post of Graduate Teacher, he was not able to get Selection Grade. By virtue of the judgments of the Hon'ble Supreme Court and by virtue of circulars by Ex.Servicemen Welfare Dept., he is entitled for selection grade. Further, the petitioner submitted a representation dated 25.03.2010 to the 2nd respondent requesting to regularise his appointment as Graduate Teacher from the date of his initial appointment as Secondary Grade Teacher (09.09.1997). Since no orders have been passed, the petitioner came forward to file this writ petition.

5.Learned counsel for the petitioner would submit that this Court, in similar facts and circumstances, vide order dated 28.07.2009, had directed the respondents 1 and 2 in WP.No.14505/2009 to dispose of the representations submitted by the petitioners therein and it was also followed by G.O.Ms.No.336, School Education Department dated 30.12.2009 and prays that in the light of the same, the petitioner's representation may be disposed of.

6.This Court heard the submissions of Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

7.Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances, without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 25.03.2010 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 herein.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Government of Tamil Nadu
Represented by Secretary to Government,
School Education Department,
Secretariat, Chennai-600 009.

2. The Director of Adi Dravidar and Tribal
Welfare,
Chennai-600 005.

3. The District Adi Dravidar and Tribal
Welfare Officer,Erode.

+1cc to M/s.G. Punniyakoti, Advocate, S.R.No.63087
+1cc to the Government Pleader, S.R.No.63206

PPA(CO)
EU(17/02/2016)

सत्यमेव जयते W.P.No.37091 of 2015

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