



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

W.A. (MD) .No.843 of 2014 &
M.P. (MD) .No.2 of 2014

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai.
- 2.The Director of School Education,
College Road, Chennai.
- 3.The Joint Director of School Education,
(Employment Wing), College Road, Chennai.
- 4.The Chief Educational Officer,
Sivagangai District.
- 5.The Headmaster,
Government Higher Secondary School,
Ariyakudi,
Sivagangai District.

.. Appellants/Respondents
versus

P.Muthumari
Secondary Grade Assistant
Govt.Hr.Sec.School,
Ariyakudi,
Sivagangai District 630 202. . . Respondent/writ petitioner

Prayer: Appeal filed under Clause 15 of Letters Patent against the order, dated 03.10.2013, made in W.P.No.6391 of 2012.

Prayer in WP(MD). 6391/ 2012 :Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records relating to the impugned proceedings issued by the 3rd Respondent Joint Director (Employment Wing) vide proceedings in Na.Ka.No.005917/C5/E1/2012 dated 20-01-2012 and quash the same in as much as it prescribes a condition that the candidates should have obtained their Under Graduate Degree only after completion of X Standard and XII Standard and further direct the respondents to include the petitioner s name in the Panel and to consider him for promotion to the post of BT Assistant in Tamil for the year 2012.

For appellants : Mr.VR.Shanmuganathan
Special Government Pleader.
For respondent : Mr.Shabu Jose for
Mr.Isaac Mohanlal



JUDGMENT

(Judgment of the Court was made by S.MANIKUMAR ,J.)

Challenge is to the common order, made in W.P.(MD).Nos.10616 to 10618 of 2011, dated 03.10.2013, by which, a learned single Judge of this Court, following the orders made in W.P.Nos.24495 to 24497 of 2012, dated 10.09.2012, declared that the Diploma in Teacher Education or Diploma in Engineering, undergone by the petitioners shall be treated as equivalent to +2 course and consequently, held that the writ petitioners are entitled for promotion, either as B.T. Assistants or as Middle School Headmasters, as the case may be, subject to their fulfilling other requirements.

2. Though the said common order is challenged in respect of W.P.(MD). No.6391 of 2012, Mr.V.R.Shanmuganathan, learned Special Government Pleader, submitted that the Joint Director of School Education (Employment Wing), Chennai, vide proceedings in Na.Ka.No.32229/C5/E1/2014, dated 05.06.2015, has already issued orders, implementing the directions and consequently, the respondent/teacher has been promoted as B.T. Assistant (Tamil), from the date of the appointment i.e. 07.03.2012 and in so far as disbursement of monetary benefits is concerned, it would be from the date of issuance of the order i.e. 05.06.2015. Learned Special Government Pleader further submitted that from July, 2014 onwards, the respondent/teacher has been receiving pay in the post of B.T. Assistant (Tamil), which is not disputed by the learned counsel for the respondent. Inasmuch as the order impugned in W.P.(MD). No.6391 of 2012, has been implemented, we are not inclined to delve in the merits of the case. The writ appeal is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

The Assistant Registrar(AE)

/True copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai.
 - 2.The Director of School Education,
College Road, Chennai.
 - 3.The Joint Director of School Education,
(Employment Wing), College Road, Chennai.
 - 4.The Chief Educational Officer,
Sivagangai District.
 - 5.The Headmaster,
Government Higher Secondary School,
Ariyakudi, Sivagangai District.
- +1cc to M/s.Isaac Mohanlal, Advocate SR.No.31633

jikr

Sm:KBM:02.07.2015:2P/7C

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