

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11367 of 2016

R.Sumathi

.. Petitioner

-vs-

1. The Director of Elementary Education
DPI Campus
College Road
Chennai 600 006
2. The District Elementary Educational Officer
Cuddalore District
Cuddalore
3. The Additional Assistant Elementary
Educational Officer
Virudhachalam
Cuddalore District
4. The Correspondent
Panneerselvam Aided Elementary School
South Street
Cuddalore District

5. P.Sheela

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 to consider the objections submitted by the petitioner dated 20.08.2015 and the subsequent reminder dated 18.02.2016 and to pass appropriate orders directing the fourth respondent school to consider the petitioner for promotion to the post of Headmaster in the vacancy arose with effect from 01.06.2015 based on the seniority and eligibility of the petitioner.

For Petitioner:: Mr.G.Sankaran

For Respondents:: Mr.S.Gunasekaran
Additional Government Pleader
for R1 to R3

ORDER

Mrs.R.Sumathi, who was appointed as Secondary Grade Teacher in the regular vacancy of the fourth respondent School on 5.6.92, which is a Government aided school governed by the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act and the Rules made thereunder, has been given the benefit of Selection Grade and also the Special Grade for having completed the sufficient number of years of service. But her grievance is that although her name was shown in the second place after the name of one Tmt.R.Thenmozhi, who was serving as the Headmaster, after the retirement of Tmt.R.Thenmozhi, one Tmt.P.Sheela, Secondary Grade Teacher, having been appointed only on 1.2.2008, has been brought in the first place. When the petitioner has been anticipating promotion in the post of Headmaster as the Special Grade Secondary Grade Teacher, her claim has not been considered. Therefore, she has given a representation in this regard. Since no order has been passed on the same, she has come to this Court.

2. Heard Mr.G.Sankaran, learned counsel for the petitioner. Mr.S.Gunasekaran, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 3.

3. This Court, considering the limited prayer made by the petitioner, without going to the merits, hereby directs the respondents 1 to 3 to consider the representation given by the petitioner on 20.8.2015 along with the reminder dated 18.2.2016 on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. Consequently, W.M.P.No.9818 of 2016 is closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Director of Elementary Education
DPI Campus
College Road
Chennai 600 006

2. The District Elementary Educational Officer
Cuddalore District
Cuddalore

3. The Additional Assistant Elementary
Educational Officer
Virudhachalam
Cuddalore District

+lcc to Mr.G.Sankaran, Advocate sr.19521
+lcc to the Government Pleader sr.19585

W.P.No.11367 of 2016

scd(CO)
srg(13/04/2016)



WEB COPY