

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12231 of 2016

P.Arulswamy

.. Petitioner

-vs-

1. The Director
Adi Dravidar and Tribal Welfare Department
Ezhilagam, Chepauk
Chennai 600 005
2. The Assistant Director (Education)
Adi Dravidar and Tribal Welfare Department
Ezhilagam, Chepauk
Chennai 600 005
3. The District Adi Dravidar and Tribal
Welfare Officer
Cuddalore District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to promote the petitioner to the post of Headmaster of Elementary School as per the panel drawn for the year 2015-2016 on 22.12.2015 and finalized on 19.02.2016 with all consequential service and monetary benefits.

For Petitioner :: Mr.S.Mani

For Respondents :: Mr.S.Gunasekaran
Additional Government Pleader

ORDER

The petitioner seeks for issuance of a writ of mandamus, directing the respondents to promote him to the post of Headmaster of Elementary School as per the panel drawn for the year 2015-2016 on 22.12.2015 and finalized on 19.02.2016 with all consequential service and monetary benefits.

2. Learned counsel for the petitioner submitted that the petitioner joined as Secondary Grade Assistant in a school run by Adi Dravidar and Tribal Welfare Department

through employment exchange on 24.6.98. Subsequently, his name was also included in Serial No.8 in the panel drawn for the year 2015-16 for promotion to the post of Headmaster of Elementary school in the estimated eleven vacancies on 22.12.2015. Thereafter, promotion counselling was also conducted on 25.1.2016 by the first respondent, in which all the Secondary Grade Assistants who were included in the panel attended, except Mrs.K.Roseline Pugazhmani, who was shown in Serial No.6. It is the further contention of the learned counsel for the petitioner that after the counselling, the Secondary Grade Assistants shown in Serial Nos.1 & 2 were given promotion to the post of Headmaster of Elementary school. However, the Secondary Grade Assistants shown in Serial Nos.3,4,5 & 7 have relinquished their promotion. Therefore, he submitted that when the petitioner's name has been shown in Serial No.8, he should have been considered for promotion. But the respondents have not given promotion, for which the petitioner has also given a representation on 3.3.2016. Therefore, he sought for a direction to the respondents to consider the representation of the petitioner.

3. Mr.S.Gunasekaran, learned Additional Government Pleader takes notice on behalf of the respondents.

4. This Court, without going to the merits, hereby directs the respondents to consider the representation of the petitioner dated 3.3.2016 on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.10568 of 2016 is closed. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ss

To

1. The Director

Adi Dravidar and Tribal Welfare Department
Ezhilagam, Chepauk
Chennai 600 005

2. The Assistant Director (Education)

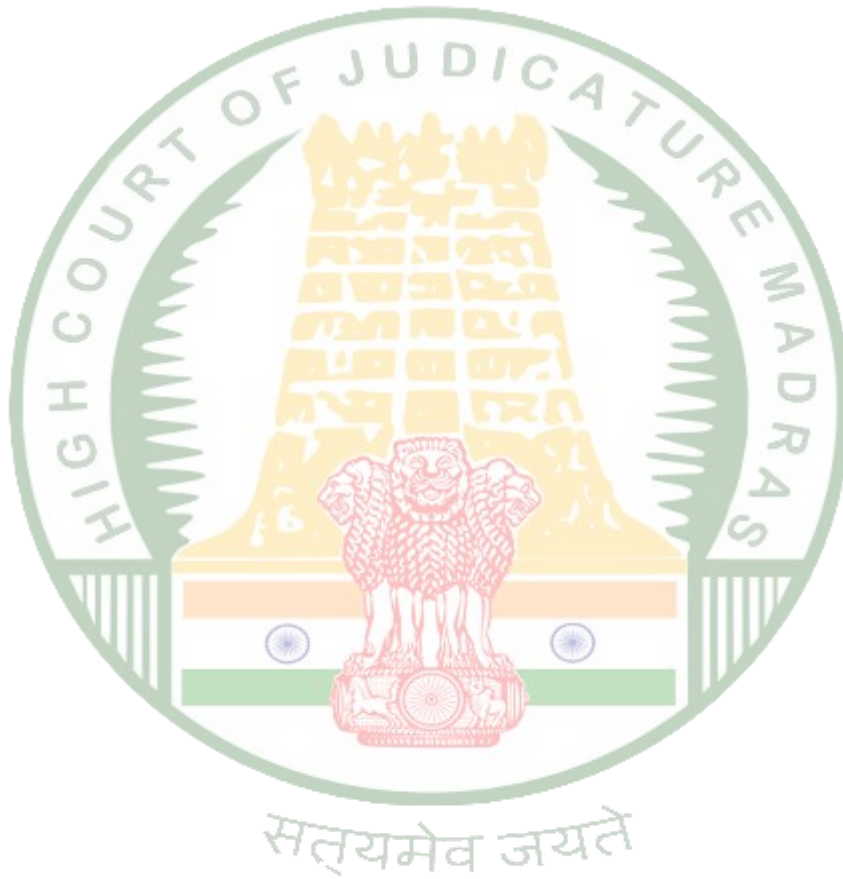
Adi Dravidar and Tribal Welfare Department
Ezhilagam, Chepauk
Chennai 600 005

3. The District Adi Dravidar and Tribal
Welfare Officer
Cuddalore District

1 cc to Mr.S. Mani, Advocate Sr. 20747

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