

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2819 of 2016

and

WMP.No.2360 of 2016

M.Sangeetha

..Petitioner

Vs.

1. The Director of Elementary Education,
College Road, Chennai-600 006.
 2. The District Elementary Educational Officer,
Krishnagiri, Krishnagiri District.
 3. The Assistant Elementary
Educational Officer, Hosur,
Krishnagiri District.
- ..Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents to consider the claim of the petitioner for promotion to the post of B.T. Assistant (Maths) on the basis of her seniority being No.1 in the seniority drawn for the year 2014, by considering the representation dated 23.12.2015 made by the petitioner.

For Petitioner : Mr.K.Premnaath

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader

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O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The prayer in the writ petition is to direct the respondents to consider the claim of the petitioner for promotion to the post of B.T.Assistant (Maths) on the basis of her seniority in the panel drawn for the year 2014.

3. The case of the petitioner is that she was appointed as Secondary Grade Teacher through Employment Exchange by the Teachers Recruitment Board and posted in Panchayat Union Elementary School, at A.Veppallampatti, Bargur Union on 18.08.2004. A panel for promotion was drawn to the post of B.T.Assistant for the year 2011, in which, the name of the petitioner was included in the 4th place. However, she was not given promotion as there were two vacancies existed at that time. In the panel drawn for the year 2012, the petitioner was placed in the third place and in the panel drawn for the year 2013, she was placed in the same place, but she was not given promotion for want of vacancy.

4. The petitioner would further state that she earlier filed writ petitions in W.P.No.35108 of 2013 and W.P.No.10110 of 2015 seeking promotion, but, they were dismissed. In W.P.No.13416 of 2015, this Court directed the respondents to consider the case of the petitioner. The second respondent by his proceedings Na.Ka.No.1597 /A6/2014 dated 10.06.2015, rejecting the request on the ground that as on date, there is no vacancy.

5. The learned counsel appearing for the petitioner submitted that as vacancy exists in the post of B.T.Assistant (Maths), the petitioner made a representation dated 23.12.2015. Since no order has been passed, the present writ petition has been filed.

6. Heard the submission of Mr.K.Premnaath, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

7. This Court, considering the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 23.12.2015 and pass appropriate 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 and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

sms

Sd/-

Asst.Registrar

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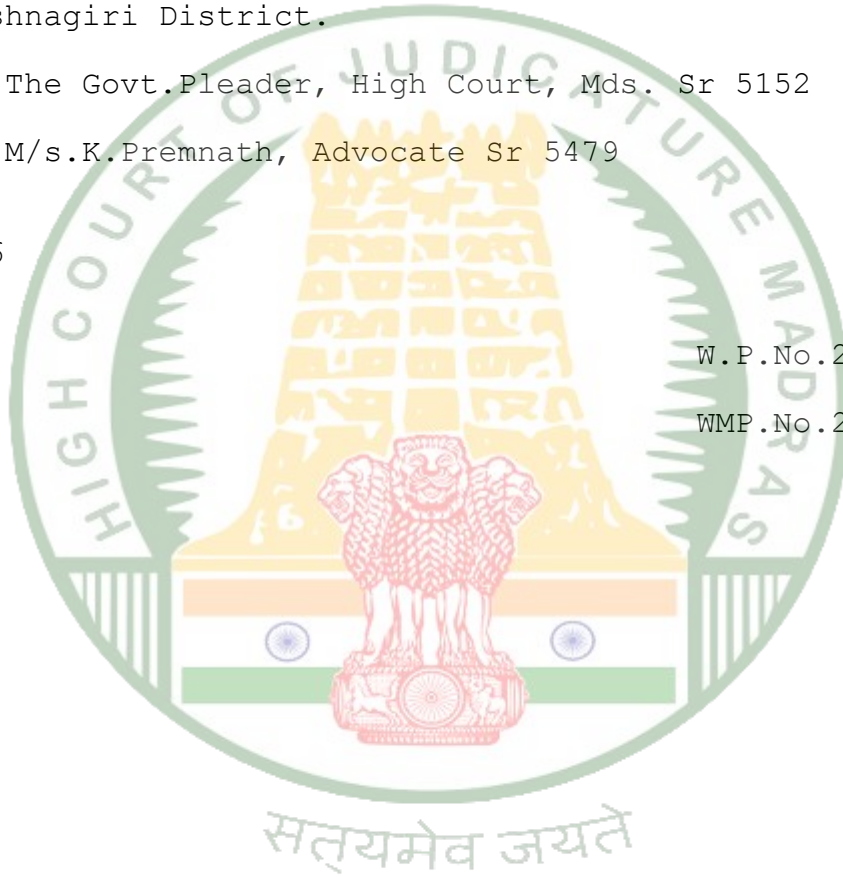
Sub Asst. Registrar

To

1. The Director of Elementary Education,
College Road, Chennai-600 006.
 2. The District Elementary Educational Officer,
Krishnagiri, Krishnagiri District.
 3. The Assistant Elementary
Educational Officer, Hosur,
Krishnagiri District.
- + 1 cc to The Govt.Pleader, High Court, Mds. Sr 5152
- + 1 cc to M/s.K.Premnath, Advocate Sr 5479

KR/10/3/16

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