

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36771 of 2016

M.S.Sankarapandian

... Petitioner

Vs.

1 The State of Tamil Nadu
Rep by its Principal Secretary to Government
School Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2 The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass orders on the appeal petition submitted by the petitioner dated 30.06.2016 by

treating the post of Vocational Instructor as feeder post for promotion to the post of High School Headmaster on par with BT Assistant in School Education Subordinate services, by taking into consideration of entire facts and circumstances that the Vocational Instructor has no possible promotional opportunity throughout his career and consequently issue directions for promoting the petitioner to the post

of High School Headmaster by including his name in the appropriate panel for promotion, within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader
(Edn.)

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the first respondent to pass orders on the appeal petition submitted by the petitioner dated 30.06.2016 by treating the post of Vocational Instructor as feeder post for promotion to the post of High School Headmaster on par with BT Assistant in School Education Subordinate services, by taking into consideration of entire facts and circumstances that the Vocational Instructor has no possible promotional opportunity throughout his career and consequently issue directions for promoting the petitioner to the post of High School Headmaster by including his name in the appropriate panel for promotion, within a time frame to be fixed by this Court.

3.Heard the submissions of the learned counsel appearing for

the petitioner and the learned Additional Government Pleader (Edn.) who takes notice for the respondents.

4. Though the petitioner has filed a detailed affidavit, in view of the limited prayer sought for by the petitioner to dispose of the appeal petition within a specified time frame, this Court is of the opinion that it is not necessary to deal with the entire averments made in the affidavit.

5. Hence, without going into the merits of the case, this Court directs the petitioner to give a copy of the appeal petition dated 30.06.2016, along with a copy of this order, to the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent on receipt of the same, is directed to consider the said appeal petition and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks thereafter.

6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to decide the matter, purely on merits.

R.SUBBIAH,J.

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

20.10.2016

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Index: Yes/ No

Internet: Yes/ No

Note:

Issue order copy on 2.11.2016.

To

- 1 The State of Tamil Nadu
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