

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P.No.41363 OF 2016

1. V.P.Ashokan
2. R.Veeraian
3. V.Boopalan
4. M.Selvam
5. K.Subbarayan

.. Petitioners

-Vs.-

1. The Secretary,
Education Department,
Fort St. George,
Chennai-9.
2. Director of School Education,
College Road,
Nungambakkam,
Chennai-6.
3. Joint Director of School Education (Personnel),
College Road, Nungambakkam,
Chennai-6.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation made by the petitioners dated 18.04.2016 by preparing panel for the post of B.T. Assistant and P.G. Assistant/Tamil Pandit as per G.O.Ms.No.175 (School Education

M2 Department) dated 19.07.2007 and G.O.Ms.No.(4D) No.21, dated 02.11.2011 and appoint them in the said posts on transfer of service within a time frame fixed by this Court.

For Petitioner	: Mrs.E.Ranganayaki
For Respondents 1 to 3	: Mr.V.Anandhamoorthy, Additional Government Pleader

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to consider the representation made by the petitioners dated 18.04.2016 by preparing panel for the post of B.T. Assistant and P.G. Assistant/Tamil Pandit as per G.O.Ms.No.175 (School Education M2 Department) dated 19.07.2007 and G.O.Ms.No.(4D) No.21, dated 02.11.2011 and appoint them in the said posts on transfer of service within a time frame fixed by this Court.

3. The case of the petitioners is as follows:

(a) The petitioners are working as Junior Assistant and Assistant in Education Department/Schools. They are academically fully qualified to be appointed as B.T. Assistants/Tamil Pandit and P.G. Assistants by transfer of service as per G.O.Ms.No.175 (School Education M2 Department) dated 19.07.2007 and G.O.Ms.No.(4D) No.21, dated 02.11.2011. Further, as per the above Government Orders, the ministerial staffs, who are working in Education Department and having educational qualification to appoint as B.T. Assistant/Tamil Pandit and P.G. Assistant, they will be promoted in the 2% of the available vacancies in the said posts on transfer of service. Accordingly, every year, separate panel was prepared for the said posts and the vacancies were filled up on transfer of service.

(b) While so, for the past three years, no panel was prepared by the respondents and no one is promoted in the said posts. Hence, the petitioners made a representation to the respondents on 18.04.2016. But the same has not been considered so far. Hence, the present Writ Petition.

4. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader who has taken notice on behalf of the respondents 1 to 3.

5. Considering the facts and circumstances of the matter, this Court directs the petitioners to forward a copy of the representation dated 18.04.2016 to the respondents 1 and 2 along with a copy of this Order within a period of two weeks from the date of receipt of a copy of this Order and on receipt of the same, the respondents 1 and 2 are directed to consider and pass orders on the same, on merits and in accordance with law and also as per G.O.Ms.No.175 (School Education M2 Department) dated 19.07.2007 and G.O.Ms.No.(4D) No.21, dated 02.11.2011, within a period of six weeks thereafter.

6. The Writ Petition is disposed of accordingly. No costs.

24.11.2016

tsi

Index : Yes/No

Internet:Yes/No

To

1. The Secretary,
Education Department,
Fort St. George,
Chennai-9.
2. Director of School Education,
College Road,
Nungambakkam,
Chennai-6.
3. Joint Director of School Education (Personnel),
College Road, Nungambakkam,
Chennai-6.

R.SUBBIAH, J.

tsi

W.P.No.41363 of 2016

24.11.2016