

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.6429 of 2016 and
W.M.P. No.5714 of 2016

R.Muthukumar

.. Petitioner

-vs-

The Director,
Department of Social Defence,
Purasaiwalkam High Road,
Chennai-600 010.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records connected with the proceedings issued in No.009/A1/2016 dated 04.02.2016 passed by the respondent and quash the same and consequently direct the respondent to include the petitioner in the panel of Assistant Superintendent in the year 2015-16 in the appropriate place.

For Petitioner : Mr.S.Ilamvaludhi

For respondent : Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

This writ petition has been filed by the petitioner R.Muthukumar, challenging the impugned order dated 04.02.2016 passed by the respondent, refusing to consider his request for promotion to the post of Assistant Superintendent in the year 2015-16.

2.The case of the petitioner is that he has joined as Watchman in the year 1986 and he was promoted as Drawing Master and has become selection grade Drawing Master in the year 2011. Later on, he was appointed as House Master, as per proceedings No.711/A1/2013 dated 06.12.2013, issued by the Superintendent, Government Children Home, Villupuram. According to the petitioner, he is entitled to be promoted to the post of Assistant Superintendent as he was already brought to the feeder category. Therefore, the petitioner has given a representation dated 28.12.2015 to promote him to the post of Assistant Superintendent. But the respondent has wrongly rejected the petitioner's representation on the ground that he is not in the feeder category. Therefore, the petitioner is before this Court.

3.Learned counsel appearing for the petitioner would submit that when there are three modes of selection viz. i) Direct recruitment ii) Transfer from among the Superintendent, Government Reception Homes, Madras and Tirunelveli (or) Head Masters (Middle School) and iii) Promotion from among the Secondary Grade Teachers (or) House Masters, who have been Secondary Grade Teachers or House Makers for atleast three years, the petitioner, who has been serving for a long time in the post of House Maker, cannot be denied promotion to the post of Assistant Superintendent.

4.This Court does not find any merit in the contention made by the learned counsel for the petitioner. The reason is that while the petitioner was serving as a Drawing Master, after his promotion from the post of Watchman, he has not satisfied the rule that the person, who is in the feeder category, namely, Secondary Grade Teacher or Headmaster is to be promoted. Besides, at no point of time, he has served as Teacher or Headmaster. Therefore, this Court, finding no error in the impugned order, is not inclined to grant the relief, sought for by the petitioner and this writ petition is liable to be dismissed. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected M.P. is also dismissed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vga

To

The Director,
Department of Social Defence,
Purasaiwalkam High Road,
Chennai-600 010.

1 cc to M/s.S. Ilamvaludhi, Advocate, Sr. 11855

W.P. No.6429 of 2016

SAI (CO)
kk 18/4