



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .No.10017 of 2016

and

W.M.P. (MD) .No.7880 of 2016

D.Mohanna

...Petitioner

Vs.

1.The Director of Elementary Education,
College Road, Chennai-6.

2.The District Elementary Educational Officer,
Dindigul, Dindigul District.

3.The Assistant Elementary Educational Officer,
Vadamadurai Union, Dindigul District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents herein to promote the petitioner to the post of BT Assistant (English) in the vacancies at Panchayat Union Middle School, A.Kombai, Vadamadurai Union, Dindigul District or any other schools in Vadamadurai Union, Dindigul District as per the panel for promotion as on 1.1.2016 issued by the 3rd respondent herein in accordance with the G.O.Ms.No.239 dated 22.9.2007 without any delay.

For petitioner : Mr.T.Pon Ramkumar

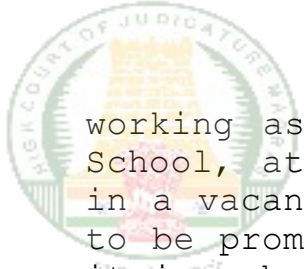
For Respondents : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

ORDER

The petitioner herein, by name, Ms.D.Mohana, who is presently working as Secondary Grade Teacher in the Panchayat Union Primary School, Arasan Chettipatti, Vadamadurai Union, Dindigul District, seeks for issuance of a Writ of Mandamus, directing the respondents herein to promote her to the post of BT Assistant (English) in the vacancies at the Panchayat Union Middle School, A.Kombai, Vadamadurai Union, Dindigul District or any other School in Vadamadurai Union, Dindigul District, as per the panel for promotion as on 1.1.2016 issued by the 3rd respondent herein in accordance with the G.O.Ms.No.239, dated 22.9.2007, without any delay.

2. It is submitted that, in the promotional panel against the vacancies in the post of B.T.Assitant (English) in Vadamadurai Union Primary School, Arasan Chettipatti, Vadamadurai Union, Dindigul District, for the academic years 2013, 2014 and 2015, the petitioner's name was found in Sl.Nos.5, 4 and 2 respectively and, for the year 2016, she was at Sl.No.1. In the meanwhile, one Manivel, who was



working as B.T.Assistant (English) in the Panchayat Union Middle School, at Kombai, died on 15.04.2016, due to illness, resulting in a vacancy in the said School. While the petitioner is entitled to be promoted in the said promotional vacancy for the year 2016, it is submitted that the respondents are now taking steps to fill up the vacancy by way of transfer as against G.O.Ms.No.239, School Education, dated 22.09.2007. Therefore, the petitioner has given a representation to the third respondent, on 03.06.2016, with a request to permit her to join as B.T.Assistant in the Panchayat Union Middle School at Kombai. Since the said request has not been considered, the petitioner is before this Court.

3. Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, submitted that proceedings have been issued by the second respondent on 09.06.2016 to the effect that the petitioner's case will be considered, as her name is shown against serial No.1 in the promotional panel.

4. Recording the afore-said submission of the learned Additional Government Pleader, this Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

- 1.The Director of Elementary Education,
College Road, Chennai-6.
- 2.The District Elementary Educational Officer,
Dindigul, Dindigul District.
- 3.The Assistant Elementary Educational Officer,
Vadamadurai Union, Dindigul District.

+1cc to M/s.T.Pon Ramkumar, Advocate in SR.29726
+1cc to the Special Government Pleader, in SR.30147

W.P(MD) .No.10017 of 2016
13.06.2016

ssm

PBK/NGM-MP 23/06/2016 ::2P-6C::