



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD).No.14184 of 2016

WEB COPY

P.Puvaneswari

... Petitioner

Vs

- 1.The District Elementary Educational Officer,
Office of District Elementary Educational Office,
Thoothukudi District-628 002.
- 2.The Assistant Elementary Educational Officer,
Office of Additional Elementary Educational Office,
Ottapidaram Taluk, Thoothukudi District-628 401.
- 3.The Additional Assistant Elementary Officer,
Office of Additional Assistant Elementary
Educational Office,
Ottapidaram Taluk,
Thoothukudi District-628 401.
- 4.The Headmaster,
Panchayat Union Middle School,
Osanoothu,
Kulasekaranaloor Panchayat,
Ottapidaram Taluk,
Thoothukudi District-628 401.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner for counselling going to be held on 06.08.2016 in the first respondent's office for the promotion as bachelor in Mathematics Teacher by considering the petitioner's representation dated 21.07.2016.

For petitioner : Mr.Haja Mohideen

For respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

The petitioner seeks for a direction to the respondents herein to permit her to participate in the Counselling to be held on 06.08.2016 by considering her representation, dated 21.07.2016.



2. Learned counsel for the petitioner submitted that the petitioner is the senior-most person and hence, she may be permitted to participate in the Counselling to be held on 06.08.2016.

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3. *Per contra*, learned Additional Government Pleader, on instructions from the second respondent, submitted that the petitioner has completed her B.Sc., in the year 2013 and B.Ed., only in the year 2015. Having regard to the Seniority List drawn among the eligible candidates from 01.01.2016 onwards, at the time of preparing the panel, admittedly, the petitioner is not eligible to participate in the Counselling. In other words, ahead of the petitioner, a number of persons are in the queue to participate in the Counselling. Having completed the B.Ed., Course only in the year 2015, the petitioner cannot press the present relief, before this Court, he argued.

4. In the light of the above submission made by the learned Additional Government Pleader, this Court is not inclined to entertain this Writ Petition. First of all, the petitioner has to establish before the respondents that she is the seniormost person, eligible to participate in the Counselling to be held on 06.08.2016. Further, as per records available with the respondents, if the petitioner is the senior-most person, needless to mention she would be called for by the respondents themselves to participate in the counselling and she need not apprehend that she may not be called for the counselling.

5. In that view of the matter, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Elementary Educational Officer,
Office of District Elementary Educational Office,
Thoothukudi District-628 002.
- 2.The Assistant Elementary Educational Officer,
Office of Additional Elementary Educational Office,
Ottapidaram Taluk, Thoothukudi District-628 401.



3.The Additional Assistant Elementary Officer,
Office of Additional Assistant Elementary
Educational Office,
Ottapidaram Taluk,
Thoothukudi District-628 401.

4.The Headmaster,
Panchayat Union Middle School,
Osanoothu,
Kulasekaranalloor Panchayat,
Ottapidaram Taluk,
Thoothukudi District-628 401.

+1cc to Special Government Pleader in SR.No.42613

+1cc to M/S.A.Haja Mohideen, Advocate in SR.No.42308

W.P (MD) .No.14184 of 2016
05.08.2016

Ssm

PA/AAL-MPA/29.09.2016/3P/7C