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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2016

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THE HON'BLE Dr.JUSTICE S.VIMALA

W.P (MD) No.18095 of 2016

C.Saravanakumar

... Petitioner

-vs-

1.The Director of School Education,
Chennai.

2.The Chief Educational Officer,
Tuticorin.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to include the petitioner's name in the panel for the year 2016 for the post of B.T. Assistant History and to give promotion to the post of B.T. Assistant History from the date on which his juniors were given promotion.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.S.Kumar

Additional Government Pleader

O R D E R

This writ petition has been filed for the issuance of a writ of Mandamus, directing the respondents to include the petitioner's name in the panel for the year 2016 for the post of B.T. Assistant History and to give promotion, from the date on which his juniors were given promotion.

2.Heard Mr.V.Panneer Selvam, learned counsel for for the petitioner and Mr.S.Kumar, learned Additional Government Pleader who takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The petitioner was appointed as a Secondary Grade teacher on 19.11.2001 in a Government School, Veedur. He has completed B.Ed., degree in December 2012 and B.A. History in May 2015. Hence, the petitioner is qualified for promotion to the post of B.T. Assistant (History) during December, 2015 itself. The respondents prepared a panel for promotion to the post of B.T.Assistant, History and the same was published on 05.09.2016.



In that panel, the teachers who are appointed in the year 2006 have been included, but the petitioner was not included. His juniors who are appointed after 19.11.2001 (after petitioner's appointment) were given promotion. Therefore, there is no impediment for the respondents to include the name of the petitioner in the panel for giving promotion as B.T.Assistant. So stating, the petitioner has given a representation dated 12.09.2016 to the second respondent. As the same has not been considered so far, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that the petitioner has submitted his representation to the second respondent. But the first respondent is the competent authority to consider the representation of the petitioner dated 12.09.2016.

5.In view of the submission made by the learned Additional Government Pleader, the second respondent is directed to forward the representation of the petitioner dated 12.09.2016 to the first respondent and on receiving the same, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(C.S.II)

/True Copy/

Sub Assistant Registrar

To

1.The Director of School Education,
Chennai.

2.The Chief Educational Officer,
Tuticorin.

+1 cc to Mr.V.Panneer Selvam, Advocate in SR.No.55084

+1 cc to the Spl.Govt.Pleader in SR No.55166

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22.09.2016

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