



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

WEB COPY

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.1957 of 2016

J.Rajan

... Petitioner

Vs.

1.The District Elementary Educational Officer,
Theni.

2.The Additional Assistant Elementary Educational Officer,
Periyakulam,
Theni District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioner as Elementary School Headmaster as per the panel for the year 2015-2016 by considering his representation, dated 04.01.2016 and 13.01.2016.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.Mohammed Mohideen,

Additional Government Pleader

ORDER

Mr.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to promote the petitioner as Elementary School Headmaster as per the panel for the year 2015-2016 by considering his representations, dated 04.01.2016 and 13.01.2016.

4. The grievance of the petitioner is that though he is senior in the second respondent union, he could not get promotion. As per the accepted seniority, the petitioner is included in the panel and he is in the first position in the same. Hence, he made a representation before respondents on 04.01.2016 and 13.01.2016 seeking promotion. The same is said to be still pending. Hence, the petitioner has come forward with the present Writ Petition.



5. Though, the learned Additional Government Pleader, who takes notice for the respondents says that there is a procedure of counselling before promotion, according to the petitioner, the panel period would expire before the counselling is conducted. Hence, he would be satisfied if the representations of the petitioner, dated 04.01.2016 and 13.01.2016, are disposed of.

6. Since it is represented by the learned counsel for the petitioner that the panel expires on 26.02.2016, without expressing any opinion on the merits of the claim made by the petitioner, the respondents are directed to consider the representations of the petitioner, dated 04.01.2016 and 13.01.2016 and pass appropriate orders on the same, on merits and in accordance with law, before 26.02.2016.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Elementary Educational Officer,
Theni.

2.The Additional Assistant Elementary Educational Officer,
Periyakulam, Theni District.

+1cc to Mr.V.Panneer Selvam, Advocate Sr.No.6379

+1cc to Spl.Government Pleader Sr.No.6402

pm

AA/AAL-MPA/09.02.2016/2p-5c

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