



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.11.2016

WEB COPY

CORAM:
THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22406 of 2016

M.Srinivasan

: Petitioner

Vs.

- 1.The State of Tamil Nadu rep. by
the Secretary to Government,
School Education Department,
Fort St. George, Chennai.
- 2.The Director of Elementary School Education,
DPI Complex, College Road, Chennai.
- 3.The District Elementary Education Officer,
Pudukkottai District, Pudukkottai.
- 4.The Assistant Elementary Educational Officer,
Manamelkudi Union, Manamelkudi,
Pudukkottai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to consider and pass appropriate orders on the petitioner's representations dated 03.08.2016, 20.09.2016 and 17.10.2016 for promotion to the post of Headmaster in the Middle School in accordance with law, within a time frame that may be stipulated by this Court.

For Petitioner	: Mr.S.Muthukrishnan
For Respondents	: Mr.A.Muthukaruppan,
	Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider and pass appropriate orders on the petitioner's representations dated 03.08.2016, 20.09.2016 and 17.10.2016, seeking promotion to the post of Headmaster in the Middle School in accordance with law.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.



3.The brief facts leading to the filing of this writ petition are as follows:

The petitioner was initially appointed as a Secondary Grade Teacher on 11.01.1999 and promoted as Headmaster of Elementary School, based on seniority, on 02.06.2008. Then, the petitioner became B.T. Assistant on 21.09.2011. Though, the petitioner is eligible to be promoted as Headmaster of a Middle School, the respondents did not consider the petitioner for promotion. Therefore, seeking promotion in terms of: (a) G.O.Ms.No.1383, dated 23.08.1988, (b) G.O.Ms.No.166, dated 07.06.1999, (c) G.O.Ms.No.79, dated 14.06.2002 and (d) G.O.Ms.No.100, dated 27.06.2003, the petitioner has sent three representations to the respondents. As the representations have not been considered, this writ petition has been filed.

4.The learned counsel for the petitioner would submit that the promotion panel would be prepared on 01.01.2017 and there must be a direction to the respondents to consider the representations of the petitioner at the earliest point of time.

5.The learned Additional Government Pleader would submit that it is agreeable for the respondents 1 and 2 to consider the representations of the petitioner and to pass appropriate orders within a period of four weeks.

6. Recording the submission made by the learned Additional Government Pleader for the respondents, the respondents 1 and 2 are directed to consider the representations of the petitioner, dated 03.08.2016, 20.09.2016 and 17.10.2016 in the light of G.O.Ms.No.1383, dated 23.08.1988, G.O.Ms.No.166, dated 07.06.1999, G.O.Ms.No.79, dated 14.06.2002 and G.O.Ms.No.100, dated 27.06.2003, and to pass orders on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. No costs.

Sd
ASST REGISTRAR (CO)

TRUE COPY

SUB ASST REGISTRAR

smn



To

1.The Secretary to Government,School Education Department,
Government of Tamil Nadu, Fort St. George, Chennai.

2.The Director of Elementary School Education,
DPI Complex, College Road, Chennai.

3.The District Elementary Education Officer,
Pudukkottai District, Pudukkottai.

4.The Assistant Elementary Educational Officer,
Manamelkudi Union, Manamelkudi, Pudukkottai District.

1CC TO MR. B.S. MELTUE ADVOCATE SR: 71686

1CC TO THE SPL GOVT PLEADER SR: 72466

PBK CK SAR 1

26/12/2016

3P 7C

ORDER MADE IN
W.P (MD) No.22406 of 2016
23.11.2016