

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5083 of 2017

P.S.Thuya

..

Petitioner

Vs.

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 006.
2. The District Elementary Educational Officer,
DPI Campus, College Road,
Chennai-600 006.
3. The Assistant Elementary Educational Officer,
Triplicane Range,
Chennai-600 005.
4. The Correspondent,
H.H. Mandal Middle School,
No.7, Pillaiyar Kovil Street,
Triplicane, Chennai-600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to pass appropriate orders to the 4th respondent to consider the petitioner for promotion to the post of B.T. Assistant in the ensuing vacancy arising due to promotion of B.T. Assistant, Thiru.Chelladurai Karumaran as Headmaster within the time frame to be fixed by this Hon'ble Court by considering the appeal petition representation submitted by the petitioner dated 15/02/2017.

For Petitioner : M/s. G.Sankaran

For Respondents : Mr.V. Anandamoorthy, AGP (Edn)

ORDER

By consent, the writ petition is taken up for final disposal. Mr.V.Anandamoorthy, learned Additional Government Pleader [Edn] accepts notice on behalf of the respondents.

2 The petitioner was initially appointed as a Secondary Grade Teacher in the services of BSGS Primary School, Chennai, on 25.08.2004 and her appointment was also duly approved by the Department and on closure of the School, the petitioner was deployed to the 4th respondent / School and joined the said post on 15.06.2011. The petitioner would further aver that for no fault of her, she has been subjected to repeated harassments and all of a sudden, a resignation letter has been obtained compulsorily and proceedings have been issued by the 2nd respondent on 08.12.2015 and challenging the same, the petitioner filed WP.o.40705/2015 and obtained an interim order dated 04.01.2016 and in pursuant to the same, she has been reinstated in the services of the 4th respondent / School vide proceedings of the 2nd respondent dated 01.06.2016. The petitioner, thereafter, submitted a representation praying for conversion of Graduate Teacher into Tamil Graduate Teacher and post her in that place and the 4th respondent has rejected the same vide communication dated 06.02.2017 and challenging the same, the petitioner filed an Appeal Memorandum to the respondents 1 to 3 on 15.02.2017 and despite the receipt and acknowledgment, no orders have been passed and therefore, came forward to file this writ petition.

3 Heard the learned counsel appearing for the petitioner and Mr.V.Anandamoorthy, learned Additional Government Pleader [Edn] appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in her representation or in this writ petition, directs the 2nd respondent to dispose of the petitioner's Appeal Memorandum dated 15.02.2017, on merits and in accordance with law, after putting the 4th respondent / School on notice and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 4th respondent.

5 The writ petition stands disposed of with the above direction. No costs.

s/d-
Assistant Registrar(CO)

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Sub-Assistant Registrar

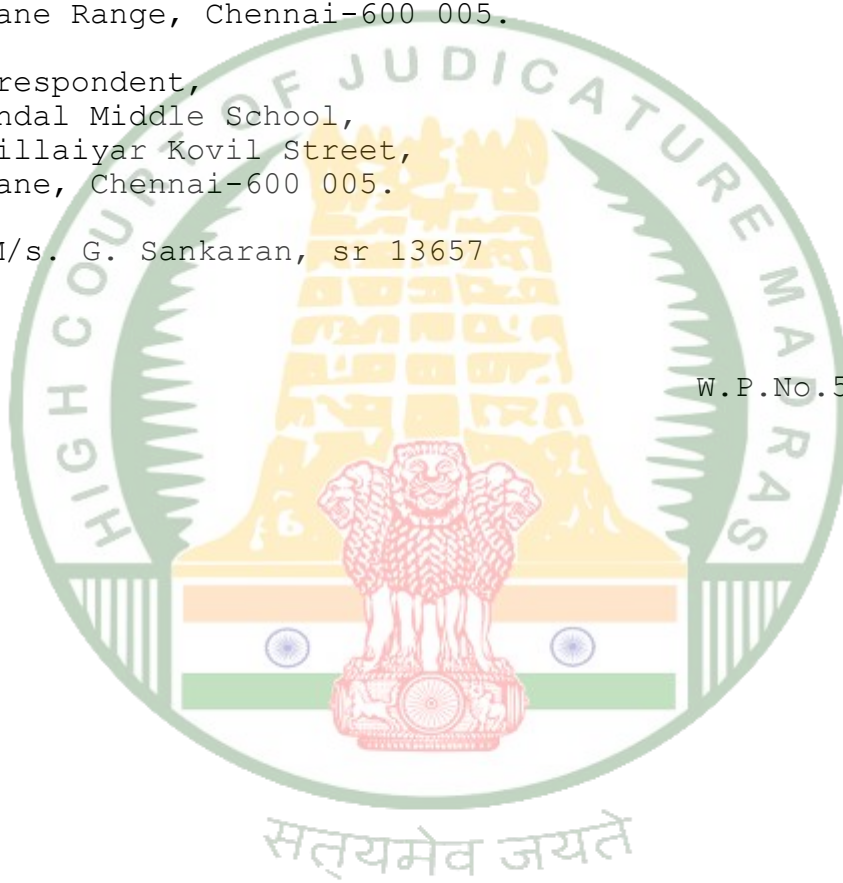
To

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+1 CC to M/s. G. Sankaran, sr 13657

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NR (CO)
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