

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4202/2017

Mrs.A.Jacquelin

...Petitioner

Vs

1.The Director,
Elementary Education, O/o.Director
of Elementary Education, DPI Compound
Chennai 600 006.

2.The District Elementary Educational Officer
Villupuram District, Villupuram.

...Respondents

Prayer:- 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 order on the representation made by the petitioner on 19.07.2016 and given de-promotion as Secondary Grade Teacher from B.T.Assistant.

For Petitioner : Mr.R.Mazhaimenipandiyan

For R1&R2 : 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 would aver that she was appointed as a Secondary Grade Teacher in the Panchayat Union Middle school, Kilmampattu Village, Gingee Taluk, on 04.08.1999 and after working for nearly 17 years, she got her promotion as B.T.Assistant on 18.06.2014 in the Panchayat Union Middle School, Melathipakkam Village, Gingee Taluk. The petitioner had undergone a procedure for "Total abdo miral hysterectomy with bi-later-salphingo oophorec" on 24.08.2014 and she is yet to recover fully and therefore, she has given a representation dated 19.07.2016 to the 2nd respondent praying for de-promotion to the post of Secondary Grade Assistant and according to the petitioner, the 1st respondent has also given oral instructions to the 2nd respondent to consider the petitioner's representation and pass orders accordingly. The petitioner, in this regard, has also submitted a reminder dated 22.10.2016 to

the 1st respondent through proper channel and so far, no orders have been passed and therefore, the petitioner came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that from the place of residence of the petitioner, the present place of working is about 30 Kms and the petitioner has to travel 60Kms daily and covering the same by riding a two-wheeler and on account of the same, her health condition is getting further deteriorated and therefore, prays for appropriate orders.

4 The Court heard the submissions of Mr.V.Anandamoorthy, learned Additional Government Pleader [Edn] appearing for the respondents.

5 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, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 19.07.2016 as well as the reminder representation dated 22.10.2016 on merits and in accordance with law, after putting on notice, the person/s concerned and pass appropriate orders within a period of eight 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 person/s concerned.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP
To

1.The Director,
Elementary Education, O/o.Director
of Elementary Education, DPI Compound
Chennai 600 006.

2.The District Elementary Educational Officer
Villupuram District, Villupuram.

+1cc to Mr.Mazhaimeni Pandiyan, Advocate, S.R.No.10800
+1cc to the Government Pleader, S.R.No.11459

KS(CO)
RS(08/08/2017)

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