

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.30978 of 2017

R.Srinivasan
P.G.Assistant (Physics)
Government Higher Secondary school,
Kurubarapalli, Krishnagiri District .. Petitioner

-vs-

1. Government of Tamilnadu
Rep. by its Principal Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009
2. The Director of School Education,
Directorate of School Education,
Fort St. George,
Chennai - 600 006
3. The Joint Director (Higher Secondary)
DPI Campus, College Road,
Chennai - 600 006 .. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 23.06.2017 and consequently direct the respondents to prepare a seniority list in the post of PG Assistant for the promotion of the post of Higher Secondary School Headmaster as mandated by the service rules and the Government Orders.

For Petitioner :: Ms.Dakshayani Reddy
For Respondents :: Mr.V.Jayaprakash Nsarayanan
Special Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus by directing the respondents to consider the representation of the petitioner dated 23.06.2017 and for a

consequential direction to prepare a seniority list in the post of P.G.Assistant for promotion to the post of Higher Secondary School Headmaster, as mandated by the service rules and the Government Orders.

2. Learned counsel for the petitioner submitted that the petitioner is serving as P.G.Assistant and was recruited through Teachers Recruitment Board. After his appointment to the said post on 21.11.2002, his services were also regularised with effect from 21.11.2002, i.e., on the same day. Since P.G.Assistant is a feeder category to the post of Higher Secondary School Headmaster, as per the rules, the respondents may be directed to prepare a seniority list for the post of P.G.Assistant, publish the same, by calling for objection from the affected persons, subsequently, can finalise the seniority list of P.G.Assistant and thereafter, the respondents can effect promotion, he pleaded. However, without preparing the seniority list for the feeder category, the panel for promotion is prepared. Therefore, a representation dated 23.06.2017 has been submitted to the respondents, since, no action is initiated, the petitioner has come forward with this petition.

3. Learned Special Government Pleader appearing for the respondents submitted a draft counter affidavit prepared by the 3rd respondent, namely, Joint Director (Higher Secondary), Chennai and submitted that 2nd respondent, namely, Director of School Education, Chennai is preparing a seniority list of qualified P.G.Assistants and High School Headmasters separately as on 1st January of each year and the same shall be communicated to all the eligible candidates calling upon objection from them. If objection letter is received from any incumbent, considering the same in tune with the service rules, a final seniority list will be prepared and the same would be given effect by giving promotion.

4. Heard the learned counsel on either side and perused the documents available on record.

5. I fully agree with the submission made by the learned Special Government Pleader that the Director of School Education is preparing a seniority list of qualified P.G.Assistants and High School Headmasters separately as on 1st January of each year and the same is also to be communicated to all the persons calling upon objection from them and if objection letter is received from any one, they would decide and finalise the seniority list. Therefore, this Court directs the respondents to proceed and complete the above mentioned exercise within a period of two months from the date of receipt of copy of this order.

5.With the above direction, the writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

ssd

To

1. Government of Tamilnadu
Rep. by its Principal Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009
2. The Director of School Education,
Directorate of School Education,
Fort St. George,
Chennai - 600 006
3. The Joint Director (Higher Secondary)
DPI Campus, College Road,
Chennai - 600 006

+1cc to M/s.DAKSHAYANI REDDY Advocate, S.R.No. 88405
+1cc to the Government Pleader, S.R.No.89012

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TR(08/01/2018)

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