

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6.10.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.556 of 2017

C.Easwaran

Appellant/Petitioner

Versus

1. The Director,
Adi Dravidar Welfare Department,
Ezhilagam, Chepauk,
Chennai 600 005.
2. The District Adi Dravidar and Tribal
Welfare Officer,
Pudukottai District, Pudukottai.

Respondents/Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 30.8.2016 passed in W.P.No.549 of 2016 on the file of this court.

Prayer in W.P.No.549 of 2016:

Writ Petition filed under Article 226 of the constitution of India, praying to issue a Writ of Ceritorarified Mandamus to call for the entire records relating to the impugned order of the 1st respondent in Na.Ka. No.02/ 21680/2015 dated 14.12.2015 which was confirmed by the 2nd respondent in Na.Ka. No.Q5/ 8279/2015 dated 18.12.2015 and quash the same consequently directing the respondents to promote the petitioner for the Post of BT Assistant as per G.O.Ms. No.134 Education Department dated 15.6.2007.

For appellant : Mr.T.Sellapandian
for Mr.S. Mani

For respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and the learned Special Government Pleader appearing for the respondents.

2. According to the petitioner, he was appointed as Secondary Grade Teacher in the second respondent Department on 13.11.1995, he had obtained B.A. degree in Economics on 8.4.1994, M.A. degree in History on 29.11.2001, M.A. degree in Economics on 9.11.2011 and B.Ed. degree on 25.10.2013. The stand of the appellant/writ petitioner is that as per G.O.Ms.No.134 Education Department (G2), dated 15.6.2007, he is eligible to get benefits of promotion as B.T. Assistant from the year 2007 itself.

3. However, what is being noted is that since he completed B.Ed. degree only in 2013, he would be eligible for the promotion as B.T. Assistant only after 2013. Though it is not specifically mentioned in the subsequent G.O. viz., G.O.Ms.No.134 dated 15.6.2007, it refers to the standing order contained in G.O.Ms.No.400 dated 25.5.1998 which stipulates the acquisition of B.Ed. qualification for the promotion to the post of B.T. Assistant. Such being the case, the order passed by the learned Single Judge could not be faulted with.

4. Therefore, the writ appeal fails and the same is dismissed. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

ssk.

To

1. The Director,
Adi Dravidar Welfare Department,
Ezhilagam, Chempauk,
Chennai 600 005.

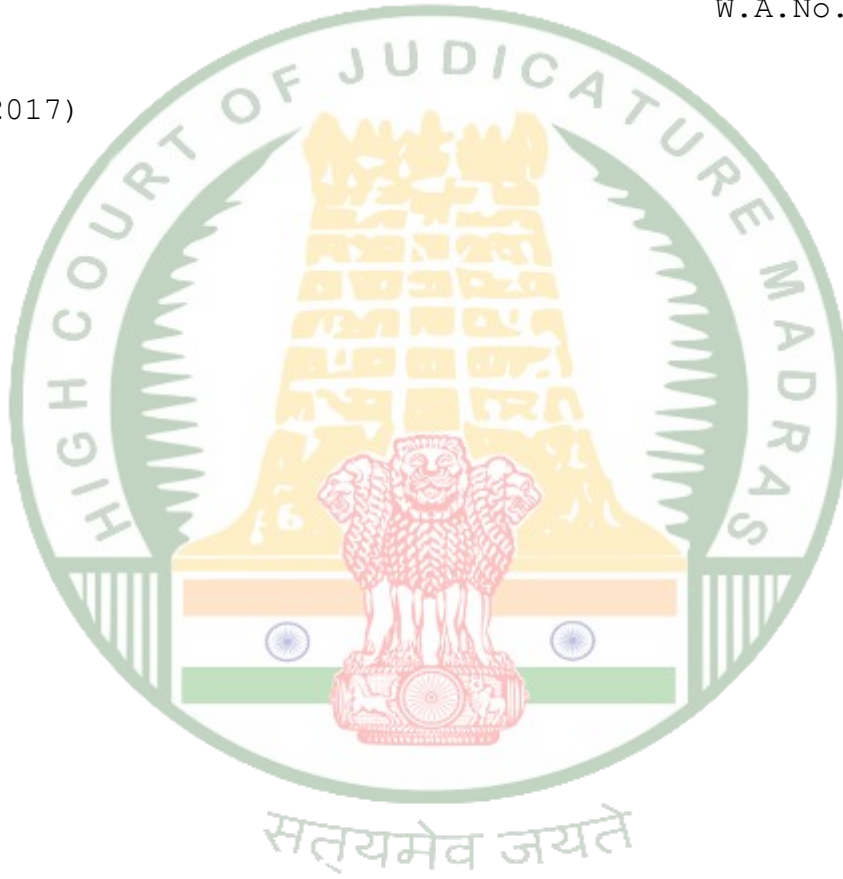
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2. The District Adi Dravidar and Tribal
Welfare Officer,
Pudukottai District, Pudukottai.

+1 CC to Mr.S. Mani, Advocate sr 71880.
+1 Cc to The Govt. Pleader sr 72000

W.A.No.556 of 2017

GJII(CO)
SP(24/11/2017)



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