

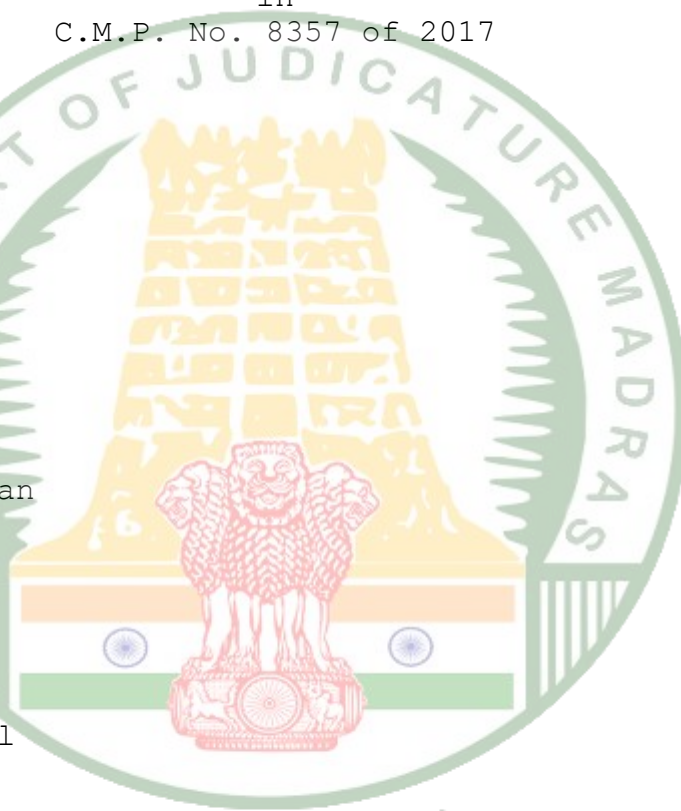
IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.A. No.599 of 2017
in
C.M.P. No. 8357 of 2017

1. K.Thirupathi
2. S.Sivakumar
3. K.Ezhumalai
4. P.Pasupathy
5. R.Saravanan
6. A.Kanagaraju
7. S.Sarojini Devi
8. V.Devishanthi
9. R.Subramanian
10. M.Manickam
11. V. Ramachandiran
12. R.Rajendran
13. P.K.Annamalai
14. M.Kannan
15. P.Pugazhenth
16. D.Sundarra
17. R.Sundaram
18. R.Ilaya Perumal
19. V.K.Rajendran
20. G.Raja
21. V.Senthil Murugan
22. K.Kumar
23. P.Raman
24. V.Kumarsamy
25. M. Vaideghi
26. S.Ramani
27. N.Perumal
28. B.Uma
29. T.Kalpana
30. S.Amudha
31. M.Uma
32. K.Murugavel
33. K.Yogasundaram
34. V.Latha



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35. R.Dandapani
36. Y.Arulappan
37. E.Sakthivel

.. Appellants

Vs.

1.State of Tamil Nadu,
Rep. by the Secretary to Government,
School Education Department,
Fort St.George,
Chennai 600 009.

2.The Commissioner and Director of
Most Backward & Denotified
Communication Welfare,
Chennai 600 005.

3. The Director of School Education,
College Road, Chennai 600 006.

4. The Joint Director, Kallar Reclamation,
Madurai, Madurai 20.

5. Director of Elementary Education,
College Road, Chennai 600 006. .. Respondents/Respondents

Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 19.05.2017 made in W.M.P.No.12683 of 2017 in W.P.No.11659 of 2017 and allow the writ appeal as prayed for.

WMP.No.12683 of 2017 in WP.No.11659 of 2017:

This petition praying to grant an order of Interim directing the 5th respondent to include the names of the petitioners in the ensuring promotion panel for promotion to the posts of post Graduate - Assistant (In WMP.No.12683 of 2017) pending disposal of the WP.No.11659 of 2017.

WP.No.11659 of 2017

This writ petition filed under Article 226 of the constitution of India praying to issue a writ of mandamus directly the respondents to fix the seniority of the petitioners on the Basis of their ranking awarded to the petitioners by Teachers Recruitment Board at the time of their initial appointment and consequently direct the respondents to include the names of the petitioners in the ensuring promotion panel to the posts of Post Graduate - Assistant only consequently make

promotion to the posts of post Graduate Assistant with all consequential monetary and other service benefits.

For Appellants : Mr.M.Gnanasekar,
For Respondents : Mr.T.N.Rajagopalan,
Spl. Government Pleader.

JUDGMENT

[Judgment of the Court was made by M.M.SUNDRESH, J.]

Consequent to the interim order passed in W.M.P.No.12683 of 2017 in W.P.No.11659 of 2017, the writ appeal has been filed, questioning as to whether the promotion has to be considered state-wise or unit-wise.

2.Though the learned counsel for the appellants made submissions on merits, we are not inclined to go into the same, since, the interest of the appellants is sufficiently protected by the order of the learned Single Judge.

3. If the appellants succeed in the writ petition, the consequences would follow. As the learned Single Judge, rightly exercised his discretion, we do not find any error or warranting interference at this stage.

4. Considering the facts and circumstances of the case, we direct the Registry to post the matter before the learned Single Judge concerned for hearing the matter on 07.06.2017. In the meanwhile, the respondents are directed to file counter affidavit in the writ petition. The Writ Appeal is closed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

cla/sts

To

- 1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
- 2.The Commissioner and Director of
Most Backward & Denotified
Communication Welfare,
Chennai 600 005.
3. The Director of School Education,
College Road, Chennai 600 006.
4. The Joint Director Kallar Reclamation,
Madurai, Madurai 20.
5. Director of Elementary Education,
College Road, Chennai 600 006.

Copy to:

The Section Officer,
Writ Section,
High Court, Madras.

+1cc to Mr.Ganasekar, Advocate, S.R.No.38113

W.A.No.599 of 2017

RJ(CO)
RS(05/06/2017)

सत्यमेव जयते

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