

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WRIT PETITION No. 1431 of 2015

P.Kala

... Petitioner

Vs.

1. The State of Tamil Nadu,  
Rep by its Secretary,  
Department of Education,  
Fort St. George,  
Chennai - 600 009.
  2. The Commissioner of Technical Education,  
Directorate of Technical Education,  
Guindy, Chennai - 25.
  3. The Principal,  
Bhaktavatsalam Polytechnic College,  
Kancheepuram.
- ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider and pass orders on the petitioner's representation dated 12.12.2007; 08.10.2010 and the legal notice issued on her behalf dated 20.11.2014 (to promote the petitioner as Associate Lecturer (now designated as Lecturer) from 08.03.1986 (the date on which the petitioner had joined as Instructor) consequently to upgrade the petitioner as Senior Lecturer from 08.03.1996 and as upgraded Head of the Department from 08.03.2006 (after considering the norms as per G.O. 1081 dated 19.08.1989) and grant all other service benefits due to the petitioner as per the said G.O.) forthwith.

For Petitioner : Mr.V.Shanmugham

For Respondents: Mr.K.Dhananjayan (For R1 & R2)

Special Government Pleader

No appearance (For R3)

O R D E R

The prayer sought for in this writ petition is for a direction to direct the respondents to consider and pass orders on the petitioner's representation dated 12.12.2007 in

accordance with law.

2. The learned counsel appearing for the writ petitioner contended that the writ petitioner was appointed as Instructor on regular basis on 8<sup>th</sup> March 1986 in Bhaktavatsalam Polytechnic College, Kancheepuram and on completion of three years of service, he was promoted to the post of Associate Lecturer (now re-designated as Lecturer) on 8<sup>th</sup> March 1989.

3. Further, the writ petitioner was promoted to the post of Senior Lecturer on 8<sup>th</sup> March 1999 and now, holding the post of Head of the Department with effect from 8<sup>th</sup> March 2009, after completion of 10 years of service as Senior Lecturer.

4. The Government had issued G.O. No.1081, Education (J-1), dated 19.08.1989 by abolishing the post of Instructor and all those persons working in the post of Instructor were re-designated as Associate Lecturer. The said G.O. was issued pursuant to the nomenclature and pay scales of the existing designation of teachers in Polytechnics and Special Diploma Institutions viz., Associate Lecturer, Lecturer, Head of Department, Principal.

5. In this view of the matter, the writ petitioner had submitted a representation to the second respondent on 08.10.2010 to consider her case for promoting her as Associate Lecturer from 08.03.1986 and the representation was not considered and kept in cold storage by the second respondent.

6. Thus, she was constrained to move the present writ petition. Without going into the merits and demerit of the case, the second respondent is directed to consider the representation dated 08.10.2010 on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

7. The writ petitioner is directed to enclose a copy of the representation along with the order of this Court. With this direction, the writ petition stands disposed of. However, there is no order as to costs.

s/d-  
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

maya

To

1. The Secretary,  
Department of Education,  
Fort St. George,  
Chennai - 600 009.
  2. The Commissioner of Technical Education,  
Directorate of Technical Education,  
Guindy, Chennai - 25.
  3. The Principal,  
Bhaktavatsalam Polytechnic College, Kancheepuram.
- +1 CC to Govt. Pleader sr 58179.

W.P.No. 1431 of 2015

NM(CO)  
sp(07/09/2017)



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