

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.12.2017
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20885 of 2011

A.Antony Arputha Mary

..Petitioner

vs

1.The Chief Educational Officer,
Collectorate,
Salem - 636 001.

2.The Head Master,
Government Higher Secondary School,
Sarkar Kollapatti,
Salem - 636 030.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to include the name of the petitioner in the promotion list to the post of B.T.Assistant, English, as on 1.1.2011 by considering the proceedings in Rc.No.273/2010-11 dated 23.12.2010 forwarded by the second respondent to the first respondent and the proceedings in Rc.No.460/2011.12 dated 9.8.2011 forwarded by the second respondent along with the representation dated 22.8.2011 made by the petitioner to the first respondent within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.Elizabeth Ravi
for M/s.S.Subbiah

For Respondents : Mr.A.Rajaperumal
Additional Government Pleader
for R1 & R2

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O R D E R

The relief sought for in this writ petition is for a direction to the first respondent to include the name of the petitioner in the promotion list to the post of B.T.Assistant English, as on 1.1.2011 by considering the proceedings in Rc.No.273/2010-11 dated 23.12.2010 forwarded by the second respondent to the first respondent and the proceedings in Rc.No.460/2011.12 dated 9.8.2011 forwarded by the second respondent along with the representation dated 22.8.2011.

2.The grievance of the petitioner is that in spite of her production of all the required certificates regarding her qualifications, the respondents have not considered her claim for promotion and even the proposals submitted by the 2nd respondent school, has not considered.

3.The learned Additional Government Pleader appearing on behalf of the respondents states that the writ petitioner has not produced the relevant educational qualification certificates for the purpose of consideration and therefore, the respondents were unable to consider the grievances of the writ petitioner during the relevant point of time.

4.May that it be, this Court is of the opinion that the rights of the petitioner for promotion are to be considered in accordance with the rules and the decision is to be taken in this regard. The learned counsel for the writ petitioner submitted that the petitioner has submitted a representation to the 1st respondent on 22.08.2011 and no order has been passed.

5.Thus, without going into the merits of the matter, the first respondent is directed to consider the representation submitted by the writ petitioner on 22.08.2011 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the documents along with the order passed in this writ petition.

6.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Educational Officer,
Collectorate,
Salem - 636 001.

+1cc to Mr.P.Raja, Advocate, S.R.No.88043

+1cc to the Government Pleader, S.R.No.88111

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RRK(12/01/2018)