

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.33718 of 2017 and
WMP.No.37356/2017

John Devasagayam

...Petitioner

Versus

- 1.The State of Tamil Nadu
rep. by the Secretary to Government,
School Education Department,
Fort St. George,
Chennai-9.
- 2.The Director of Elementary School Education,
DPI Complex,
College Road, Chennai.
- 3.The District Elementary Educational Officer,
Vellore District (Fort),
Vellore.
- 4.The Assistant Elementary Educational Officer,
Jolarpettai Union, Jolarpettai,
Vellore District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to include the petitioner's name in the promotion list in Panel of the year 2018 for the post of B.T. Headmaster, Jolarpettai Union, Jolarpettai, Vellore District based on the representation dated 16.5.2017 within a time frame that may be fixed by this Court.

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to include the petitioner's name in the promotion list in the Panel of the year 2018 for the post of B.T. Headmaster, Jolarpettai Union, Jolarpettai, Vellore District based on the representation dated 16.5.2017.

2. According to the petitioner, after his appointment as B.T. Assistant at English Faculty in Oddapatty Panchayat Union Middle School, Oddapatty, Jolarpettai Union, Thirupathur Taluk, Vellore District, he has obtained double M.A., M.Ed., and M.Phil. He has also joined as Assistant Secondary Grade Teacher on 09.03.1984 and completed his probationary period on 09.03.1986 at Alangayam Union, Jolarpettai Taluk, Vellore District. Thereafter, he has transferred to Jolarpettai Union. Although he has put in 25 years of service, he has been denied promotion. In other words, his name has been deliberately neglected in the panel for promotion to the post of Middle School B.T. Grade Headmaster. Therefore, he has given a representation dated 16.5.2017 to the 4th respondent. But the same has not been considered. Hence, the present Writ Petition.

3. Though a larger prayer has been made in the Writ Petition, when the matter is called, the learned Counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued

to the respondents to consider and dispose of the representation of the petitioner on merits.

4. Mr.ERA.Premnath, learned Government Advocate appearing for the respondents sought for 4 weeks time to consider the representation of the petitioner on merits.

5. Considering the limited prayer now made by the learned Counsel for the petitioner and also taking into account the submission of the learned Government Advocate appearing for the respondents, without going into the merits of the claim made by the petitioner, the respondents are directed to consider and dispose of the representation of the petitioner dated 16.05.2017 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is also closed.

22.12.2017

Index:Yes/No
Internet:Yes/No
tsi

**T.RAJA, J.
tsi**

To

- 1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai-9.
- 2.The Director of Elementary School Education,
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College Road, Chennai.
- 3.The District Elementary Educational Officer,
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