

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.15939 of 2017

D. Chitra

Petitioner

vs.

- 1 The State of Tamil Nadu
represented by the Secretary to Government
School Education Department
Chennai 600 009
- 2 The Director of School Education
DPI Campus
Chennai
- 3 The District Educational Officer
Tiruvannamalai
- 4 The Additional Assistant Elementary Educational Officer
Tiruvannamalai

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the petitioner's representation dated 05.06.2017 for promoting the petitioner to the post of B.T. Assistant with effect from the date of promotion of the petitioner's junior with all seniority, service and monetary benefits.

For petitioner Mr. D. Bharatha Chakravarthy
for M/s. Sai, Bharath and Ilan

For respondents Mr. P. Sanjay Gandhi
Additional Government Pleader

ORDER

Mr. P. Sanjay Gandhi, learned Additional Government Pleader, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition has been preferred seeking a writ of mandamus directing the respondents to consider the petitioner's representation dated 05.06.2017 for promoting her to the post of

B.T. Assistant with effect from the date of promotion of her junior, with all seniority, service and monetary benefits.

3 According to the petitioner, she was appointed as Secondary Grade teacher in Mathematics on a consolidated pay with effect from 02.12.2005 and she got the benefit of regularisation with effect from 01.06.2006. Since she is qualified with M.Sc. (Maths) and B.Ed. degrees, her name was included in the panel for promotion in the year 2010 and she was placed at serial number 1 in the said panel. However, in the subsequent panel for the year 2011, her name stood fourth and one Prasanna was shown at serial number 5. In the year 2011, for granting promotion, all the ten vacancies were filled up by way of direct recruitment in violation of G.O. (Ms.) No.174, School Education Department dated 15.09.2006, which clearly stipulates that only 50% of the vacancies be filled up by way of direct recruitment and the remaining 50% of the vacancies by promotees. Therefore, the said Prasanna approached this Court in W.P.No.37968 of 2016 seeking a direction to the respondents to appoint him in the existing vacancy or to give top priority in the upcoming vacancy list for B.T. Assistant (Maths) at Tiruvannamalai Union. This Court, considering the claim of the said Prasanna, vide order dated 02.11.2016, directed the respondents to consider his representation dated 12.09.2016 and pass orders on the same in the light of G.O. (Ms.) No.174, School Education Department dated 15.09.2006. According to the petitioner, since she is also similarly placed, she is also entitled to the relief sought in this writ petition.

4 The learned Additional Government Pleader sought four weeks time to consider and pass orders on the petitioner's representation dated 05.06.2017.

5 In view of the aforesaid submission made by the learned Additional Government Pleader, this Court directs the respondents to consider and pass orders on the petitioner's representation dated 05.06.2017, in the light of G.O. (Ms) No.174, School Education Department dated 15.09.2006, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition stands disposed of. Costs made easy.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

cad

To

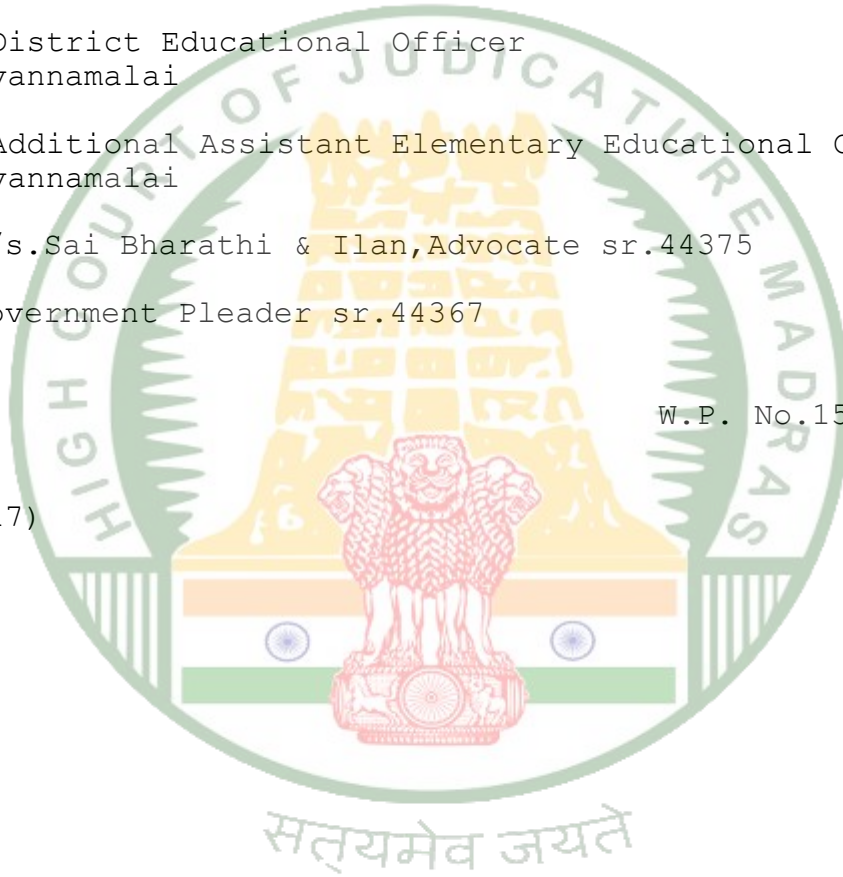
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+1cc to M/s.Sai Bharathi & Ilan,Advocate sr.44375

+1cc to Government Pleader sr.44367

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rj(co)
ss(7/7/2017)



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