

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16121 of 2017

K.Bhanumathi

... Petitioner

Vs

1. The Secretary to Government
School Education Department
Fort St.George
Chennai 600 009
2. The Director of Elementary Education
DPI Campus
College Road
Chennai 600 006
3. The District Elementary Educational Officer
Krishnagiri District
4. The Assistant Elementary Educational Officer
Kelamangalam, Krishnagiri District
5. K.Venkatesalu

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent herein to consider the representation of the petitioner dated 08.06.2017 in the light of the Tamil Nadu Elementary Education Service Rules in G.O.Ms.No.1383 dated 23.08.1988 Rule 6(b)(ii) and accordingly direct the respondents to delete the name of the fifth respondent from the panel for promotion to the post of Elementary School Headmaster (Telugu medium) as on 01.01.2017 for not possessing the second language Tamil test conducted by the Tamil Nadu Public Service Commission and accordingly direct the respondents to promote the petitioner to the post of Elementary School Headmaster (Telugu medium) school in the place of the fifth respondent.

For Petitioner : Mrs.Dakshayani Reddy

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader
for R1 to 4

ORDER

The petitioner was appointed as Secondary Grade Teacher on 18.4.2005. Her services were regularised on 1.6.2006 and her probation was also declared with effect from 31.5.2008. When she is waiting for promotion to the post of Elementary School Headmaster (Telugu medium) school, the Assistant Elementary Educational Officer, Kelamangalam prepared a panel for promotion to the post of Elementary School Headmaster (Telugu) as on 1.1.2017 for minority primary schools. So far as inclusion of one Mrs.V.Jayamma is concerned, it is stated that the petitioner has no grievance. So far as inclusion of the fifth respondent is concerned, she has given a representation on 8.6.2017 stating that the fifth respondent is not eligible and qualified for the post of Elementary School Headmaster (Telugu). Therefore, till the disposal of the pending representation dated 8.6.2017, a direction may be issued not to promote the fifth respondent.

2. But this Court, considering the limited prayer made by the petitioner, without going to the merits of the case, hereby directs the second respondent to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.17411 of 2017 is closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Secretary to Government
School Education Department
Fort St.George, Chennai 600 009
2. The Director of Elementary Education
DPI Campus, College Road, Chennai 600 006
3. The District Elementary Educational Officer
Krishnagiri District
4. The Assistant Elementary Educational Officer
Kelamangalam, Krishnagiri District.

+1cc to Mrs.Dakshayani Reddy, Advocate, S.R.No.45163

+1cc to the Government Pleader, S.R.No.45754

W.P.No.16121 of 2017

BR(CO)

CA(13/07/2017)

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