

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Coram

Dated: 23.01.2017

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.1615 of 2017

and W.M.P.No.1577 of 2017

V.M.Benazir Zainab

... Petitioner

-Vs-

1. State of Tamil Nadu,
rep. by its Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600 009,
2. The Director,
Directorate of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The District Elementary educational Officer,
Kancheepuram District,
Kancheepuram.
4. The Assistant Elementary Education Officer,
Chitlapakkam,
Chennai - 600 064
Kancheepuram District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 2 and 3 to pass orders on the representation of the petitioner dated 21.12.2016 and to promote the petitioner as Graduate Teacher English in the Alandur Municipality Middle School, Adambakkam, Chennai - 600 066 in the vacancy created by the voluntary retirement submitted by Mrs.S.Thilagavathi, Graduate Teacher in the Alandur Municipality Middle School, Adambakkam, and pay all benefits.

For Petitioner : Mr.M.Md.Ibrahim Ali
For Respondents : Mr.K.Dhananjayan,
Special Government Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner possesses B.A., English and B.Ed., and joined as Secondary Grade Teacher on 23.07.1999 at Mudukulathur Union, Ramanathapuram District and after service for 12 years, she made a request to the District Elementary Educational Officer, Ramanathapuram, for transfer to Chennai on the ground that her husband is working as Section Officer in the Secretariat, Chennai. and on considering her request, she was transferred to Alandhur Municipality Primary School, Nanganallur, and on account of surplus teachers, she was deployed as Secondary Grade Teacher in the Panchayat Union Middle School, Keerapakkam, Kattankulathur Union. It is the claim of the petitioner that as per the seniority list maintained, she is the only person eligible to be promoted as Graduate Teacher (English) and a vacancy is also available for the post in Alandur Municipality Middle School, Adambakkam. In this regard, she has also submitted a representation dated 21.12.2016 through proper channel praying for promotion as Graduate Teacher (English) in Alandur Municipality Middle School, Adambakkam. Since it is to be considered and disposed of, she came forward to file this writ petition.

3. Heard the submission of the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going to the merits of the claim projected by the petitioner, either in the writ petition or in the representation, directs the respondents 2 and 3 to consider and dispose of the petitioner's representation dated 21.12.2016, on merits and in accordance with law, after putting on notice to the persons concerned and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the persons concerned. The writ petition is disposed of accordingly.

No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009,
2. The Director,
Directorate of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The District Elementary educational Officer,
Kancheepuram District, Kancheepuram.
4. The Assistant Elementary Education Officer,
Chitlapakkam, Chennai - 600 064
Kancheepuram District.

+1cc to Mr.M.M.D.Ibrahim ali, Advocate, S.R.No.4503
+1cc to the Government Pleader, S.R.No.4364

kj (CO)
md(27/01/2017)

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