

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.16312 of 2017

M. Saraswathy

Petitioner

vs.

- 1 The Secretary to Government
School Education Department
Fort St. George
Chennai 600 009
- 2 The Director of School Education
DPI Campus
College Road
Chennai 600 006
- 3 The Joint Director (Personnel)
DPI Campus
College Road
Chennai 600 006

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 31.01.2017 by taking into consideration the proceedings of the third respondent in Na.Ka.No.67136/A3/E1/2016 dated 16.12.2016, whereby, the petitioner's junior R. Ponnusamy has been placed at Serial No. 46 and accordingly, place the petitioner just above the said R. Ponnusamy and accordingly, revise the petitioner's seniority to the post of Assistant by granting notional promotion with effect from 18.11.2002 and accordingly, revise the petitioner's seniority in the post of Desk Superintendent and grant further promotion to the post of regular Superintendent without reference to the proceedings of the third respondent in A.T.M. No.25852/A4/E3/16 dated 09.08.2016.

For petitioner

Mrs. Dakshayani Reddy

For respondents

Mr. T.M. Pappiah
Special Government Pleader

ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner was appointed as Typist on compassionate ground in the year 1998 and she cleared the departmental tests on 07.03.2002. While so, G.O. Ms.No.7, School Education Department dated 04.02.2005 was issued regularising her services. After a long time, she was granted notional promotion to the post of Assistant with effect from 02.03.2005 by including her name in the panel drawn on 15.03.2002.

3 But, the petitioner's grievance is that her name should have been included in the panel drawn on 15.03.2002 above Ponnusamy. However, her request was rejected on the ground that none of her juniors was included in the panel drawn on 15.03.2002. After rejection of her request, seniority list was prepared on 16.12.2016 including her junior's name. Therefore, the petitioner addressed a representation on 31.01.2017 to the second respondent, which has not been considered till date. Hence, according to the petitioner, if a direction is given to the second respondent to consider and pass orders on her representation, no prejudice will be caused to anyone.

4 The learned Special Government Pleader appearing for the respondents sought six weeks time to consider and pass orders on the petitioner's representation dated 31.01.2017.

5 In view of the above submission made by the learned Special Government Pleader, this Court directs the second respondent to consider and pass orders on the petitioner's representation dated 31.01.2017 on its own merits and in accordance with law, within a period of six 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/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

cad

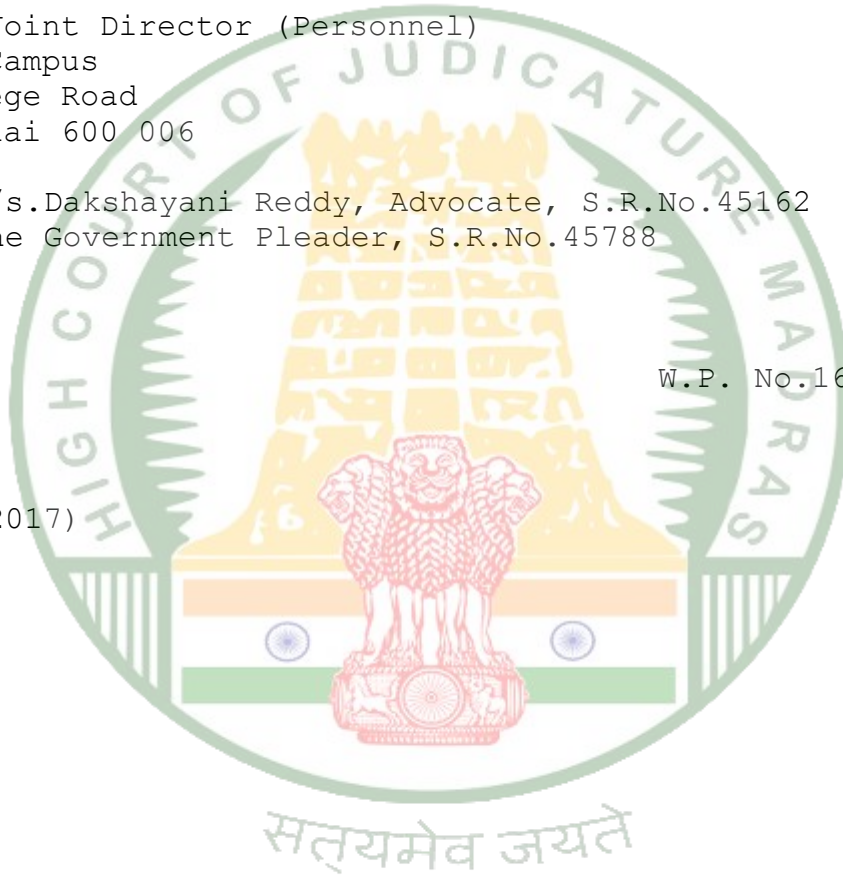
To

- 1 The Secretary to Government
School Education Department
Fort St. George
Chennai 600 009
- 2 The Director of School Education
DPI Campus
College Road
Chennai 600 006
- 3 The Joint Director (Personnel)
DPI Campus
College Road
Chennai 600 006

+1cc to M/s.Dakshayani Reddy, Advocate, S.R.No.45162
+1cc to the Government Pleader, S.R.No.45788

W.P. No.16312 of 2017

CU(25/07/2017)



WEB COPY