

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.28086 of 2017

S.Shantha Sundari

...Petitioner

Versus

- 1.The Joint Director (Higher Secondary),
Director of School Education,
DPI Campus, Nungambakkam, Chennai-34.
2. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Coimbatore-641 001.
3. The District Educational Officer,
O/o.The District Educational Officer,
Coimbatore-641 001.
4. The Management of
RK Srirangammal Kalvi Nilayam,
Higher Secondary School,
No.91, Avinaishi Road,
Coimbatore-641 018.

.... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to dispose of the petitioner's representation dated 21.08.2017 in accordance with law.

For Petitioner : Dr.S.Manoharan

For Respondents : Mr.P.Sanjay Gandhi,

1 to 3

Additional Government Pleader

W R I T
O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to dispose of the petitioner's representation dated 21.08.2017 in accordance with law, wherein the petitioner has made a request for promotion to the post of PG Assistant in Economics.

2. The case of the petitioner is that the petitioner joined the 4th respondent school as Secondary Grade Teacher in the year 1998 and subsequently, she was promoted as U.G. Assistant in the year 2002 and she has also completed B.A. Economics, M.A. Economics and B.Ed. Degree. The petitioner made a representation to the respondents 2 and 3, when a post of PG Assistant in Economics was kept vacant during the year 2012. Subsequently, the Management of RK Srirangammal Kalvi Nilayam,

Coimbatore, the 4th respondent herein sent a communication dated 07.08.2013 to the petitioner stating that one Tmt.J.Meena was promoted by order dated 21.12.2012 by the School Management and the same was also approved by DEO, Coimbatore. Since the 4th respondent has suppressed the appointment of one J.Meena as stated above on 21.12.2012 and misguided the petitioner and any recommendation or representation has to be sent only through the respondents 2 and 3, the petitioner has made a representation to the 1st respondent only on 21.08.2017 in this regard. But no action is forthcoming. Hence the present Writ Petition.

3. Mr.P.Sanjay Gandhi, learned Additional Government Pleader takes notice for the respondents 1 to 3.

4. This Court is unable to accept the prayer of the petitioner since the promotion has already been given to one Tmt.J.Meena and her appointment was also approved by the educational authorities. Therefore, the petitioner had to work out her remedy by challenging the order of approval granted in favour of the said J.Meena. But the petitioner had failed to do so for quite a long time. To circumvent the risk of limitation, a prayer for Mandamus is not maintainable.

5. Under such circumstances, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-

Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

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To

1.The Joint Director (Higher Secondary),
Director of School Education,
DPI Campus, Nungambakkam,
Chennai-34.

2. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Coimbatore-641 001.

3. The District Educational Officer,
O/o.The District Educational Officer,
Coimbatore-641 001.

+1cc to Dr.S.Manoharan, Advocate SR.No.77973

+1cc to Government Pleader SR.No.78298

<https://hcservices.ecourts.gov.in/hcservices/>

GN(28/11/2017)

W.P.No.28086 of 2017(CO)