

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28522 of 2017

N.Santhi

[Petitioner]

Vs

- 1 State
Rep by its Principal Secretary to Government
School Education Department
Fort St. George Chennai.
- 2 The Director of School
Education DPI Campus
College Road Chennai 6.
- 3 The Joint Director of (Higher Secondary)
School Education DPI Campus
College Road Chennai 6.
- 4 The Chief Educational Officer
Thanjavur District Thanjavur.

[Respondents]

Petition under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to consider and pass orders on the petitioners representation dt 2.5.2017 and 6.10.2017 regarding inclusion of her name in the panel of BT Assistant fit for promotion by transfer as P.G. Assistant (Commerce) issued by the 3rd respondent herein in his proceedings Na. Ka. No. 008134 / W2 / E2 / 2017 dt 15.5.2017 and e-mail copy of Second List dated 3.10.2017 within a time frame as deem fit and proper by this Court.

For Petitioner:: Ms.Daisy for
M/s Bala and Daisy

For Respondents:: Mr.R.A.S.Senthilvel, AGP

ORDER

Mr.R.A.S.Senthilvel, learned Additional Government Pleader, takes notice for the respondents and with the consent on both sides, the main writ petition itself is taken up for disposal at

the admission stage itself.

2. The petitioner has filed this writ petition seeking a writ of mandamus directing the respondents 2 and 3 to consider and pass orders on her representations dated 2.5.2017 and 6.10.2017 regarding inclusion of her name in the panel of BT Assistants fit for promotion by transfer as P.G. Assistant (Commerce) issued by the 3rd respondent in his proceedings dated 15.5.2017, within a time frame.

3. Heard the learned counsel on either side and perused the materials available on record.

4. The petitioner was appointed as a Secondary Grade Teacher on 27.07.1999 and after about 9 years, she was promoted as B.T. Assistant (Maths) on 16.07.2008. It is stated that the petitioner has also passed DTE, B.Ed., M.Com., B.Sc (Maths) and also M.Phil. On acquisition of the aforementioned qualification, the petitioner is eligible and entitled for promotion to the post of PG Assistant (Commerce), as per the statutory rules. Therefore, the petitioner submitted a representation on 02.05.2017 to the 2nd respondent to include her name in the ensuing panel of B.T. Assistants fit for promotion to the post of P.G. Assistants, however, the same has not been considered. On the contrary, a panel prepared on 15.05.2017 shows that one another person viz., A.Balasubramanian, who was appointed as B.T. Assistant (Maths) by Teachers Recruitment Board on 02.08.2008 was included in the said panel. Since the petitioner was appointed as B.T. Assistant on 16.07.2008, she is entitled to be included in the said panel. It is brought to the notice of this Court by the learned counsel for the petitioner that even in the second panel which was drawn on 03.10.2017, the name of the petitioner does not find a place. Therefore, a representation was made by the petitioner 06.10.2017. However the same has not been considered till date.

5. In view of the above, the representation dated 06.10.2017 is hereby directed to be considered by the respondents, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1 The Principal Secretary to Government
School Education Department
Fort St. George Chennai.

2 The Director of School Education
DPI Campus
College Road Chennai 6.

3 The Joint Director of (Higher Secondary)
School Education DPI Campus
College Road Chennai 6.

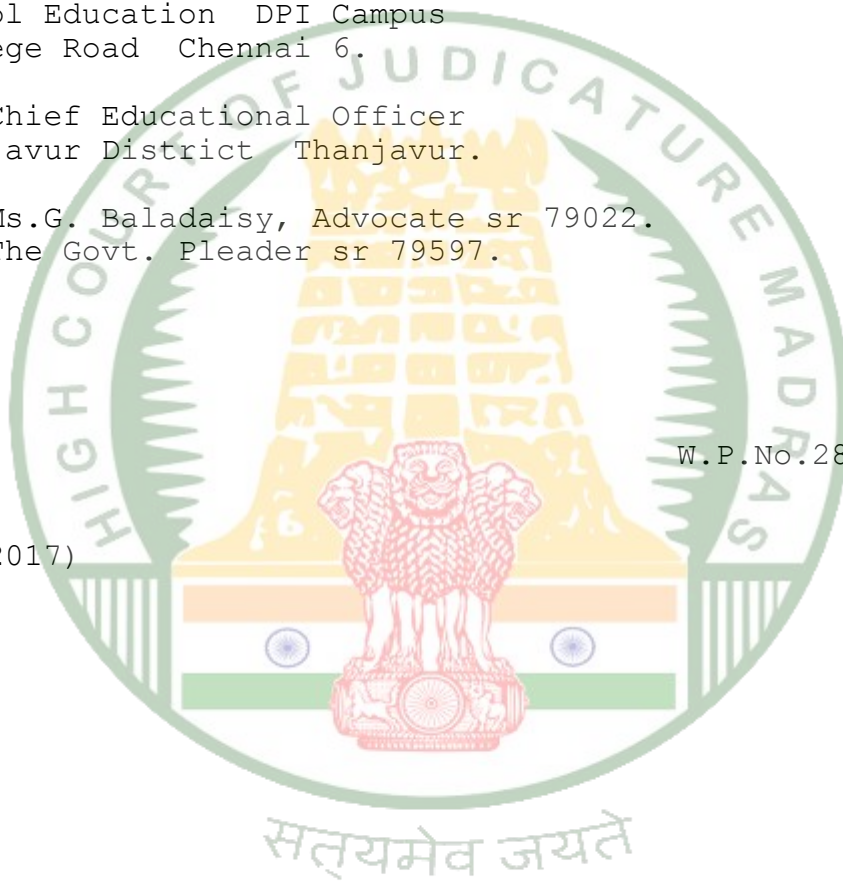
4 The Chief Educational Officer
Thanjavur District Thanjavur.

+1 cC to Ms.G. Baladaisy, Advocate sr 79022.

+1 Cc to The Govt. Pleader sr 79597.

W.P.No.28522 of 2017

SP(24/11/2017)



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