

IN THE HIGH COURT JUDICATURE AT MADRAS

DATED : 23.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24325 of 2016 and
W.M.P.No.20819 of 2016

P.Vadivelan

... Petitioner

Vs

1.State Commissioner for Differently
Abled Persons,
Commissionerate for Welfare of
Differently abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-78.

2.District Rehabilitation Officer,
Collectorate Office,
Thanjavur, Thanjavur District.

3.The Headmaster,
Government High School for Blinds,
Thanjavur, Thanjavur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to promote the petitioner to the post of BT Assistant (Tamil) in accordance with the eligibility panel prepared by the 1st respondent for the year 2015-16 vide his proceedings Letter No.6676/C.P/2015 dated 12.11.2015 and considering the representation dated 03.03.2016.

For Petitioner : Mr.G.Rajan

For Respondents: Mr.K.Dhananjayan, Spl.G.P.

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. Mr.K.Dhananjayan, the learned Special Government Pleader accepts notice on behalf of the respondents 1 to 3.

3. The petitioner claims that he is a visually challenged person with 85% visual disability certified by Government Hospital, Cuddalore. The petitioner with great difficulty, has completed his Bachelors Degree in Tamil and also completed B.Ed. Course for Teacher Training. Thereafter, got his employment on 18.11.2008 as a Secondary Grade Teacher under the Physically Challenged Category and his services were regularised from the date of his appointment i.e. from 18.11.2008. The petitioner claims to have rendered more than 8 years of unblemished service to the satisfaction of his superiors. According to the petitioner, his next avenue of promotion is to the post of B.T. Assistant and though several vacancies are available in the disabled quota, it has not done so and at last, a list was prepared containing the names of 5 persons and as per the said list, the vacancies for the promotion post of B.T. Assistant Tamil is shown as one past vacant at Government Boys High School for Blinds, Poonamallee, Chennai-56 and in the panel, five persons names have been included and according to the petitioner, many of them got disqualification and therefore, the petitioner is the next qualified person eligible to be promoted in the said vacancy and in this regard, the petitioner has submitted representations dated 03.03.2016 and 04.07.2016 to the 1st respondent and despite receipt and acknowledgment, no orders have been passed, hence, came forward to file this writ petition.

4. Heard the submissions of the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. Though the petitioner prays for a larger relief, this Court, in the light of the facts and circumstances of the case, without going into the merits of the claim as projected by the petitioner, directs the petitioner to submit one more representation to the 1st respondent along with a copy of this Order within a period of two weeks from the date of receipt of a copy of this Order and the 1st respondent upon receipt of the same, is directed to consider the same on merits and in accordance with law, within a period of six weeks thereafter and communicate the decision taken to the petitioner.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.State Commissioner for Differently
Abled Persons,
Commissionerate for Welfare of
Differently abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-78.

2.District Rehabilitation Officer,
Collectorate Office,
Thanjavur, Thanjavur District.

3.The Headmaster,
Government High School for Blinds,
Thanjavur, Thanjavur District.

+1cc to the Government Pleader Sr.4369

+1cc to Mr.G.Rajan, Advocate Sr.4329

W.P.No.24325 of 2016

lrs[co]
srg 6/2/2017



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