

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.37675 of 2004

1.D.Sundaravadanam
2.Rajasulochana
3.R.Kalavathy
4.B.Balaraman
5.N.Sabapathy
6.S.Jayaraj
7.S.Jagadeeswaran
8.M.Soosai Mary
9.G.Anand
10.R.Shanthi

... Petitioner

vs.

1. The Government of Tamilnadu rep.
by its Secretary,
Higher Education Department,
Fort St. George,
Chennai-600 009.

2.The Director of Collegiate Education,
EVK Sampath Building,
Chennai-600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ of declaration declaring that retention of Deputy Inspector's Test as the requisite qualification for the post of Superintendent in the Department of Collegiate Education in Annexure-IV to the Special Rules for Ministerial Service as illegal and consequently direct the respondents to promote the petitioners to the post of Superintendent only based on seniority, Award costs.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mrs.Digvijaya Pandian
Additional Government Pleader

ORDER

The writ petition has been filed by the petitioner seeking declaration declaring that retention of Deputy Inspector's Test as the requisite qualification for the post of Superintendent in the Department of Collegiate Education in Annexure-IV to the Special Rules for Ministerial Service as illegal and consequently direct the respondents to promote the petitioners to the post of Superintendent only based on seniority, Award costs

2. During the course of arguments, the learned Additional Government Pleader appearing for the respondents has produced an amended G.O.Ms.No.174, Higher Education (G2) Department, dated 02.06.2005.

3. Learned counsel for the petitioner submitted that as per the above said G.O., the Deputy Inspectors Test has been deleted. Therefore the prayer sought for in the writ petition insofar as deletion of Deputy Inspectors Test is concerned, nothing survives for consideration. However, in respect of other reliefs, liberty may be given to the petitioners to approach the Authority concerned for redressal of their grievance.

4. Considering the submission made by the learned counsel for the petitioner, the writ petition is disposed of with liberty to the petitioner to approach the appropriate authority by way of making a representation within a period of fifteen days from the date of receipt of a copy of this order and on receipt of the said representation, the appropriate authority shall consider the said representation and pass orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners, within a period of twelve weeks.

kal

Sd/-

सत्यमेव जयते
Assistant Registrar(CCC)

//True Copy//

WEB COPY
Sub Assistant Registrar

To

1. The Secretary,
the Government of Tamilnadu
Higher Education Department,
Fort St. George,
Chennai-600 009.

2.The Director of Collegiate Education,
EVK Sampath Building,
Chennai-600 006.

+1cc to Government Pleader SR.62075

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KJ (CO)
GN (25/09/2017)



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