



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.13385 of 2014

and

W.M.P. (MD) Nos.1 to 3 of 2014

M.Dharmaraj

... Petitioner

Vs.

1.The Joint Director of Elementary School Education,
College Road,
Chennai-600 006.

2.The District Elementary Education Officer,
Pudukkottai.

3.The Assistant Elementary Education Officer,
Thiruvarankulam Union,
Pudukkottai District.

4.A.John Willam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent vide Na.Ka.No: 6789/D1/2012 dated 07.08.2014 in so far as deleting the name of the petitioner as he did not acquired his Educational qualification under 10+2+3 pattern and quash the same as illegal and un constitutional, consequently direct the 1st respondent to fix the name of the petitioner in an appropriate place and effect promotion thereon in the cadre of Middle School Head Master.

For Petitioner : Mr.S.Balamurugan

For R1 to 3 : Mr.A.K.Baskara Pandian
Special Government Pleader.

For R4 : Mr.Karthik Raja
for Ajmal Associates

O R D E R

This Writ Petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent vide Na.Ka.No: 6789/D1/2012 dated 07.08.2014 in so far as deleting the name of the petitioner as he did not acquired his Educational qualification under 10+2+3 pattern and quash the same as illegal and un constitutional, consequently direct the 1st respondent to fix the name of the petitioner in an appropriate place



and effect promotion thereon in the cadre of Middle School Head Master.

2. Heard, Mr.S.Balamurugan, learned counsel appearing for the petitioner, Mr.A.K.Baskara Pandian, learned Special Government Pleader and Mr.Karthik Raja, learned counsel appearing for the respondents.

3.The petitioner, who is working as Elementary School Head master, is aggrieved by the impugned order dated 07.08.2014, since his name had not been included in the panel for promotion to the post of middle school head master from the post of Elementary School Head Master on the ground that he had not studied in 10+2+3 system of education. However, it is brought to the notice of this Court that subsequent to the impugned order, the Government has issued G.O.Ms.No.165 dated 15.10.2014 for inclusion of such persons also fixing a cut-off-date.

4.In these circumstances, the learned counsel petitioner submits that the petitioner would make fresh representation to the first respondent in this regard on or before 30.11.2017. If such representation is received, the first respondent shall dispassionately consider the same and pass reasoned orders on merits in accordance with law and communicate the decision to the petitioner and file a report of such compliance before the Registrar (Judicial) on or before 31.12.2017.

5.Recording the same, this writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Joint Director of Elementary School Education,
College Road, Chennai-600 006.

2.The District Elementary Education Officer,
Pudukkottai.

3.The Assistant Elementary Education Officer,
Thiruvarankulam Union, Pudukkottai District.

4.The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

+1cc to AJMAL ASSOCIATES in SR. No. 87738

+1cc to Mr.S.BALAMURUGANAdvocate in SR. No. 88007

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 88186

TA