



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.03.2017

CORAM:

THE HON'BLE MR.JUSTICE S.S.SUNDAR

WEB COPY

Writ Petition (MD) Nos.6015 and 11020 of 2014
and
connected miscellaneous petitions

W.P.(MD) No.6015 of 2014
V.Kodieswari

... Petitioner

Versus

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George,
Chennai - 09.

2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

3.The Educational Officer,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

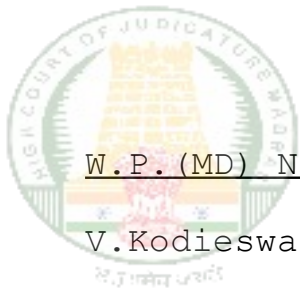
... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Ref. No.A1/005908/14, dated 19.03.2014, on the file of the respondent No.3 and quash the same, as illegal and consequently to direct the respondent No.2 and 3 to offer promotion to the petitioner to the post of Post Graduate Assistant in Economics in the available vacant post within the time stipulated by this Hon'ble Court.

For petitioner : Mr.T.Lajapathi Roy
For R1 : Mr.J.Gunaseelan Muthiah
Government Advocate

<https://hcservices.ecourts.gov.in/hcservices/> For R2 and R3

: Mr.R.Murali
for Mr.G.R.Swaminathan



W.P. (MD) No.11020 of 2014

V.Kodieswari

... Petitioner

WEB COPY

Versus

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai - 09.

2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

3. The Educational Officer,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus forbearing the respondents No.2 and 3 from filling up the vacant post of Post Graduate Assistant in Economics at Pandian Nedunchezian Corporation Higher Secondary School, Madurai without considering the objections of the petitioner dated 01.07.2014 to the panel for promotion to the post of Post Graduate Assistant in Economics as on 01.01.2014 published on 01.07.2014.

For petitioner : Mr.T.Lajapathi Roy
For R1 : Mr.J.Gunaseelan Muthiah,
Government Advocate

For R2 and R3 : Mr.R.Murali
for Mr.G.R.Swaminathan

O R D E R

In the Writ Petition filed in W.P.(MD)No.6015 of 2015, the petitioner challenges the proceedings of the Corporation of Madurai wherein the petitioner was denied promotion on the ground that her name will be considered for promotion on the basis of seniority for the next academic year. The petitioner has <https://hcs.judiciary.gov.in/hcs/proc> representation on 25.01.2014 challenging the panel for promotion prepared on 01.01.2013. In the representation dated 25.01.2014, the petitioner has raised serious objections with



regard to the panel for promotion to the post of Post Graduate Assistant in Economics for the academic year 2013. Despite the representation, the impugned order was passed rejecting the representation of the petitioner. The petitioner thereafter has challenged the said order and also raised objections to the panel prepared for the next year. W.P.(MD)No.11020 of 2014 is filed for issuing a Writ of Mandamus forbearing respondents 2 and 3 from filling up the vacant post of Post Graduate Assistant in Economics in the school concerned, without considering the objections of the petitioner dated 01.07.2014 to the panel for promotion published on 01.07.2014.

2.Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 and 3.

3.The learned counsel for the petitioner in both the writ petition would submit that the petitioner will be satisfied if a direction is issued to the respondents to consider the objection of the petitioner sent on 01.07.2014.

4.Having regard to the request of the learned counsel for the petitioner and taking into account the stand taken by the learned counsel for the respondents that the respondents have no objection, if such a direction is issued, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following order:

The second respondent is directed to consider the objections of the petitioner dated 01.07.2014 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, both the Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary,
Department of School Education,
For to Sr. George,
Chennai - 09.



2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

3.The Educational Officer,
Madurai Corporation,
Aringar Anna Maligai,
Madurai, Madurai District.

+2cc tp Mr.T.Lajapathi Roy, Advocate, SR.No:13641 & 13642
+2cc to Special Government Pleader, SR.No:13756 & 13761
+1 cc to Mr.R.Murali , Advocate in SR.No. 14210

SRM

AE/SKN/RSK/03.04.2017/4P/9C

Writ Petition (MD) Nos.6015 and 11020 of 2014
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