

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.08.2018

CORAM
THE HON'BLE DR.JUSTICE S.VIMALA
W.P.NO.20828 of 2018

T.Sarala

....Petitioner

Vs

1. The Director of Elementary Education
DPI Campus, College Road, Chennai 600 006.

2. The District Educational Officer
Krishnagiri District.

3. The Block Educational Officer
Sulagiri, Krishnagiri District.

.....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularly promote the petitioner as BT Assistant (Science) (Telugu) in Sulagiri Union, Krishnagiri District with effect from the date of arising of vacancy and to grant her all consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents: Ms.P.Kavitha,
Govt. Advocate(Education)

O R D E R

This writ petition has been filed seeking direction to the respondents to promote the petitioner as BT Assistant (Science) (Telugu) in Sulagiri Union, Krishnagiri District with effect from the date of arising of vacancy and to grant her all consequential benefits.

2. The brief facts leading to the filing of the present writ petition is that the petitioner is ranked at No.3 in the panel for promotion to the post of B.T.Assistant (Science) Telugu Medium in Sulagiri Panchayat Union as on 01.01.2018. While two vacancies were already available as on the date of drawal of the panel in April 2018, another vacancy in the said post arose due to the voluntary retirement of Ms.Subhashini, BT Assistant (Science) (Telugu Medium), Punnagaram in the month of May 2018. Despite the availability of the vacancy and the empanelment of the petitioner, she was not promoted to the post on the ground of pendency of another writ petition filed by a candidate questioning his non-empanelment in which this Court issued a

restricted conditional direction to allow him to participate in the counselling for promotion and not to promote him without the leave of this Court.

3. Learned counsel for the petitioner would submit that the claim of the petitioner for promotion shall be considered taking into account the interest on both sides by imposing a condition that the claim for promotion can be considered and also making the promotion subject to the result of the writ petition No.27569 of 2016 and 13456 of 2017 already pending before this Court. The learned counsel also submits that the above conditions shall protect the interest of the respondent also.

4. Having regard to the facts and circumstances, it is hereby directed that the petitioner shall be promoted as BT Assistant (Science) (Telugu), if there is no other impediment, (in Sulagiri Union, Krishnagiri District), which would be subject to the result of W.P.Nos.13456 of 2017 and 27569 of 2016.

5. With the above directions, the writ petition stands disposed of. No costs. Connected W.M.P.is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kst

To

1. The Director of Elementary Education
DPI Campus, College Road, Chennai - 600 006.
2. The District Educational Officer
Krishnagiri District.
3. The Block Educational Officer
Sulagiri, Krishnagiri District.

+1cc to Mr.M.Ravi, Advocate, S.R.No.56262.

W.P.No.20828 of 2018

SKV(CO)

rrs 17/09/2018