

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.10.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.2105 of 2018
and
C.M.P.No.16535 of 2018

- 1 GOVERNMENT TAMIL NADU
REP. BY SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT
SECRETARIAT CHENNAI-600 009
 - 2 THE DIRECTOR OF SCHOOL EDUCATION
NUNGAMBAKKAM CHENNAI-600 006
 - 3 THE CHIEF EDUCATIONAL OFFICER
KRISHNAGIRI
 - 4 THE DISTRICT EDUCATIONAL OFFICER
KRISHNAGIRI DISTRICT KRISHNAGIRI
- Appellants

Versus

PRAKASAM

Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 16.7.2013 passed in W.P.No.19260 of 2013 on the file of this court.

WP 19260/2013 : Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the respondents to promote the petitioner as Middle School Head Master in Krishnagiri District pursuant to the inclusion of his name in the panel as on 1.1.2011 and to promote the petitioner as such with retrospective effect from the date of the promotion of his immediate junior and grant consequential benefits.

For appellant : Mr.C.Munusamy
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned Special Government Pleader appearing for

the appellants for some time.

2. The non-consideration of the respondent herein for the promotion to the post of B.T. Assistant on the ground that he is not qualified under the education pattern of 10+2+3 gave rise to the writ petition and the direction issued by the learned Single Judge to consider the candidature of the respondent herein, by holding that the Diploma in Teacher Education possessed by the respondent herein is held to be equivalent to the qualification of "+2" resulted in filing of the writ appeal by the State.

3. Factual aspects being so, it appears that subsequently, the Government has passed G.O.Ms.No.165 (School Education) Department dated 15.10.2014 accepting the two year Diploma course as a qualified course to pursue the Degree. In that view of the matter, this writ appeal becomes redundant. Accordingly, the writ appeal is disposed of, while confirming the order passed by the learned Single Judge. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ssk.

To:

- 1 THE SECRETARY TO GOVERNMENT
GOVERNMENT TAMIL NADU
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+1cc to Government Pleader SR.No.68852

W.A.No.2105 of 2018

VSN II(CO)

GMV (26/11/2018)