

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.13112 of 2018
and
W.M.P.No.15415 of 2018

R.Madhesan

... Petitioner

.. Vs ..

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.

2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3. Teachers Recruitment Board,
Rep. by its Member-Secretary,
DPI Campus, College Road,
Chennai - 600 006.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to consider the representations dated 10.07.2017, 11.01.2018 and 22.01.2018 and objections dated 14.05.2018 of the petitioner to the panel for promotion in the post of P.G. Assistant published by the second respondent vide proceedings in Na.Ka.No.92510/W1/E1/2017 dated 11.05.2018 and accordingly revise the seniority of the petitioner based upon the marks obtained by him in the competitive examination (based upon merit) and not roaster point in 200 point roaster by following the law laid down by the Hon'ble Supreme Court in the case of Binlesh Tanwar as reported in (2003) 5 SCC 604 and the judgment of this Court in the case of K.R.Shanthi in W.P.No.21170 of 2012 within a time to be fixed by this Court.

For Petitioner : Mr.G.Sankaran,
for M/s.Dakshyani Reddy

For Respondents : Mr.C.Munusamy,
Government Advocate

ORDER

The present writ petition has been filed praying for the issuance of a writ of Mandamus, directing the respondents to consider the representations dated 10.07.2017, 11.01.2018 and 22.01.2018 and objections dated 14.05.2018 of the petitioner to the panel for promotion in the post of P.G. Assistant published by the second respondent vide proceedings in Na.Ka.No.92510/W1/E1/2017 dated 11.05.2018 and accordingly revise the seniority of the petitioner based upon the marks obtained by him in the competitive examination (based upon merit) and not roster point in 200 point roster by following the law laid down by the Supreme Court in the case of Binlesh Tanwar as reported in (2003) 5 SCC 604 and the judgment of this Court in the case of K.R.Shanthi in W.P.No.21170 of 2012 within a time to be fixed by this Court.

2. Mr.C.Munuswamy, learned Government Advocate, after instructions, submitted that the representations given by the petitioner dated 10.07.2017, 11.01.2018 and 22.01.2018 and the objection given by the petitioner dated 14.05.2018 will be considered and orders will be passed on the same within three weeks.

3. Recording the said submission made by the learned Government Advocate, this Writ Petition is disposed of, directing the respondents to consider and pass orders on the representations of the petitioner dated 10.07.2017, 11.01.2018 and 22.01.2018 and the objection of the petitioner dated 14.05.2018, within a period of three weeks from the date of receipt of a copy of this order, in the light of the judgment passed in W.A.Nos.2705, 2730 & 2731 of 2012 and 2394 & 1033 of 2013 dated 31.03.2015 and also the judgment passed in W.A.(MD) No.1360 of 2014 dated 17.03.2017. No costs. The connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

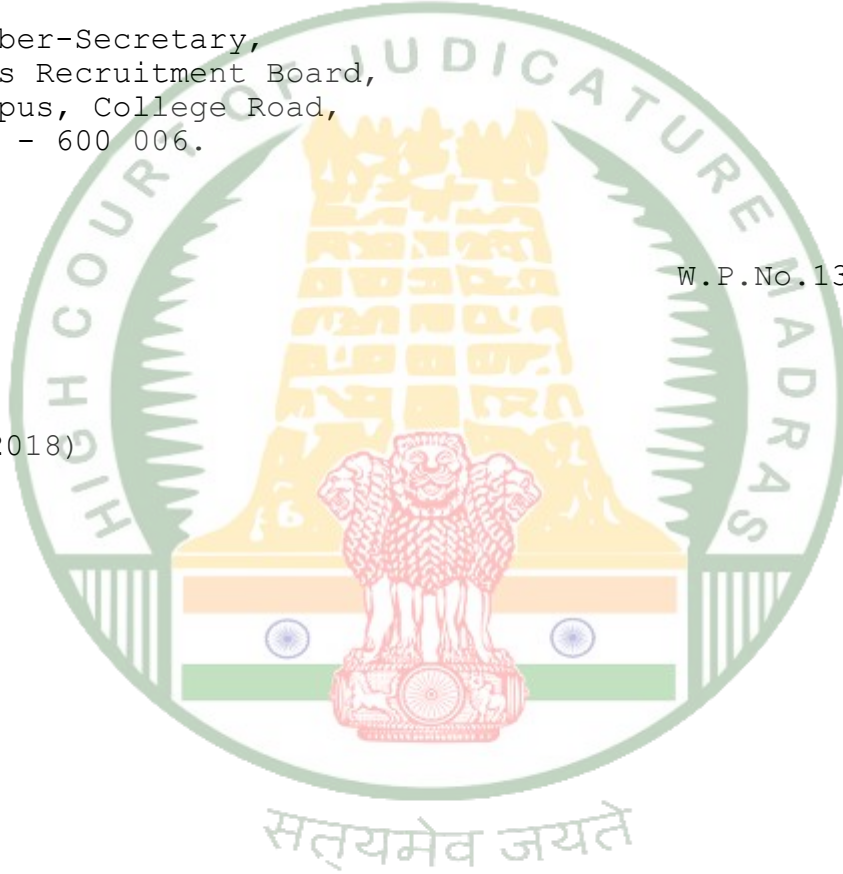
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To

1. The Principal Secretary,
The State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Member-Secretary,
Teachers Recruitment Board,
DPI Campus, College Road,
Chennai - 600 006.

W.P.No.13112 of 2018

SP(05/06/2018)



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