

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.06.2018
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30634 of 2006

P.Dhanam

... Petitioner

Vs.

1.The District Elementary
Education Officer,
Maravaneri Road,
Salem 636 007.

2.The Additional Assistant Elementary
Education Officer,
Vellandi Valasai
Edappadi - Pin 637 105
Salem District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus after calling for the records from the first respondent relating to the order in Na.Ka.No.3161/A3/06 dated 17.05.2006 and quash the said order dated 17.05.2006 and direct the respondents to include the name of the petitioner in the list of seniority of teachers for promotion to the post of Head Master of Middle Schools and award costs.

For Petitioner : Mr.S.Ayyathurai

For Respondents : Mr.K.Ravikumar
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus after calling for the records from the first respondent relating to the order in Na.Ka.No.3161/A3/06 dated 17.05.2006 and to quash the said order dated 17.05.2006 and to direct the respondents to include the

name of the petitioner in the list of seniority of Teachers for promotion to the post of Head Master of Middle Schools.

2.The case of the petitioner is that she joined the service of the Education Department as a Higher Grade Teacher on 17.10.1978 and later on she was promoted as Secondary Grade Teacher on 15.11.1978. Thereafter, the petitioner did B.Com. Degree through correspondence from 1986 to 1989 and passed the same and also passed the B.Ed. Degree during 1990. Thereafter, the petitioner did M.Com. from 1990-1992 and passed the same during May, 1992 and has also completed M.Ed. during 1995-96.

3.It is the further case of the petitioner that since she has acquired the above qualifications, she is fully qualified to be promoted and appointed as Head Master of a Higher Secondary School. However, she has not even been promoted as Head Master of Higher Elementary School i.e., Middle School. Hence, when the petitioner came to know that the respondents are preparing the seniority list of Teachers for promotion as Head Masters of Middle School, she made representation dated 27.02.2006 to the first respondent through the second respondent. In response to the same, the first respondent passed the impugned order dated 17.05.2006 stating that only the names of those Teachers who have acquired qualifications on the subjects which are taught for the students of Standard I to VIII can be included in the seniority list of Teachers for promotion as Head Masters of Middle School and since the petitioner has acquired qualification in Commerce which is not a subject in the Middle School, her name could not be included in the said panel. Aggrieved by the same, the petitioner has filed this writ petition.

4.The respondents have filed counter stating that vide G.O.Ms.No.134, Education Department, dated 15.06.2007, the Government has issued orders to make eligible the candidates with Degree (s) in Commerce, Philosophy, Political Science and like subjects as on 01.01.2007 and to promote them as a one time measure.

Accordingly, the petitioner eligible and her name has been included in the panel for promotion to the post of Headmaster of Middle School for the year 2007 and is placed in the 4th rank, in accordance with the seniority from the date of her joining as Headmistress in the Elementary School.

5. In view of the above, nothing survives in this writ petition for adjudication. The writ petition is accordingly closed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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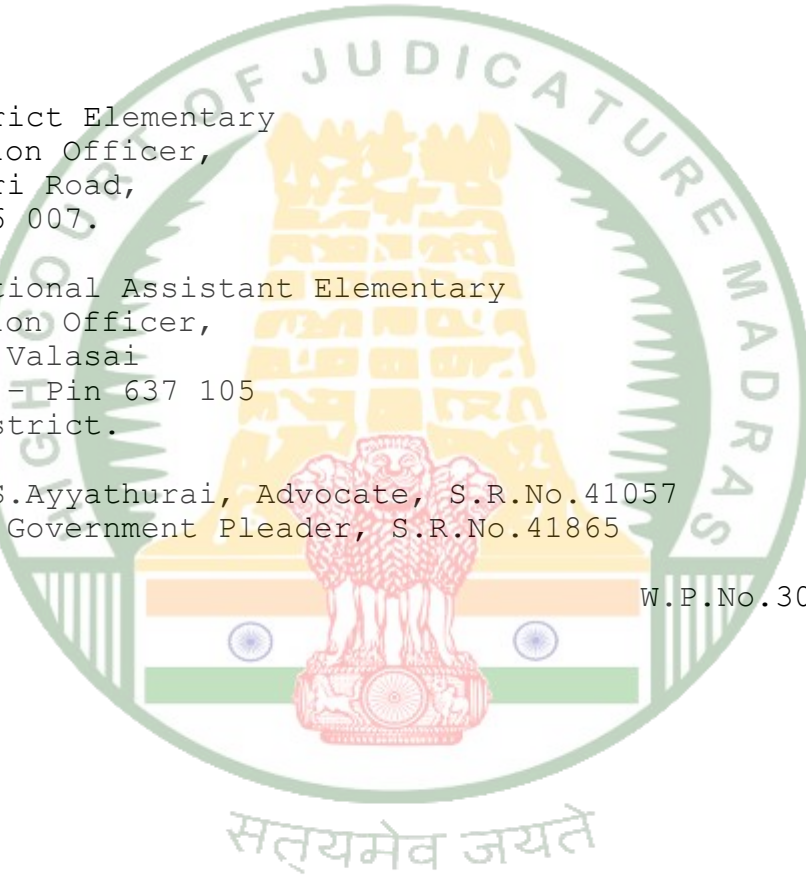
To

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Education Officer,
Vellandi Valasai
Edappadi - Pin 637 105
Salem District.

+1cc to Mr.S.Ayyathurai, Advocate, S.R.No.41057
+1cc to the Government Pleader, S.R.No.41865

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NRL (CO)
CS/12/07/18



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