

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.11724 of 2012

B.Sivakozhundu

..Petitioner

Vs.

1.The Chief Educational Officer,
Krishnagiri, Krishnagiri District.

2.The Chief Educational Officer,
(Sarva Shiksha Abhiyan),
Krishnagiri, Krishnagiri District.

3.The District Elementary Educational,
Officer, Krishnagiri, Krishnagiri District.

4.T.Sakthivel,

5.K.Krishnaraj,

6.A.David.

7.D.Arun prasath

..Respondents

(Seventh respondent impleaded
as per order dated 07.03.2013 in M.P.No.1 of 2013
in W.P.No.11724 of 2012)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to select the petitioner for the post of Part Time Physical Educational Instructor under the S.C. Category by cancelling the selection of one of the respondents 4 to 6.

For Petitioner : Mr.P.Sivalingam

For Respondents : Mr.P.Raja

Government Advocate for R1 to R3

No appearance for R4 to R6.

R7 dismissed vide dated 31.08.2016.

O R D E R

Heard Mr.P.Sivalingam, learned counsel for the petitioner; Mr.P.Raja, learned Government Advocate for the respondents 1 to 3 and perused the materials available on record.

2. The petitioner seeks issuance of Writ of Mandamus, directing the respondents to select the petitioner for the post of Part Time Physical Educational Instructor under the Scheduled Caste Category by cancelling the selection of one of the private respondents.

3. The petitioner would state that he belongs to Scheduled Caste Community and passed S.S.L.C. in the year 1993 and +2 in the year 1997 and did Certificate Course in Physical Education in 2003 and registered his name in the Employment Exchange on 11.08.2003.

4. The further case of the petitioner is that a scheme was floated by the Government of India sanctioning the post of part time Instructors in Physical Education on a consolidated pay of Rs.5,000/-. Though the petitioner was fully qualified, but by overlooking the petitioner, the private respondents have been appointed in total ignorance of the representation of the petitioner dated 12.03.2012, which was forwarded to the second respondent.

5. The learned counsel for the petitioner submitted that it would be suffice, if a suitable direction is issued to the second respondent to consider the representation of the petitioner.

6. The learned Government Advocate for the respondents submitted that the respondents are ready to consider the representation of the petitioner and pass orders in accordance with law.

7. In the light of the above submissions and also taking note of the facts of the case, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 12.03.2012 and pass appropriate orders, after providing opportunity to all necessary parties, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

vv2 / r n s

Sd/-

Assistant Registrar (CS IV)

// True Copy//

Sub Assistant Registrar

TO

1.The Chief Educational Officer,
Krishnagiri, Krishnagiri District.

2.The Chief Educational Officer,
(Sarva Shiksha Abhiyan),
Krishnagiri, Krishnagiri District.

3.The District Elementary Educational,
Officer, Krishnagiri, Krishnagiri District.

+ 1 CC TO M/s.C.S. ASSOCIATES IN SR 62852

+ 1 CC TO THE GOVT. PLEADER, SR 62930

KR/4/10/18

W.P.No.11724 of 2012

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