

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22206 of 2013
and
M.P.No.1 and 3 of 2013

R.Arulmozhi

.. Petitioner

vs

- 1.Director of School Education,
Chennai-600 006.
- 2.Chief Educational Officer,
Cuddalore, Cuddalore District.
- 3.District Educational Officer,
Cuddalore, Cuddalore District.
- 4.Headmaster,
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.
- 5.S.Mehala,
P.G.Assistant (Commerce)
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.
- 6.R.Tamizhselvi,
P.G.Assistant (Zoology),
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.
- 7.V.Selvaraju,
P.G.Assistant (Physics),
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.

8.S.Ramalingam,
P.G.Assistant (Chemistry),
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.

9.P.Kolanjinathan,
P.G.Assistant (Botany),
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 2 to 4 to write the attendance of August 2013 and continue to maintain the same in the 4th respondent school so as to enable the petitioner to discharge the duty as Assistant Headmaster and confer all the consequential benefits.

For Petitioner : Mr.C.Vediappan
for M/s.C.S.Associates
For R1 to 4 : Mr.K.Karthikeyan
Government Advocate
For R5 to 9 : No Appearance

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 2 to 4 to write the attendance register placing the petitioner as No.2 i.e. after Headmaster, in the Month of August 2013 and continue to maintain the same in the 4th respondent School so as to enable the petitioner to discharge the duty as the Assistant Headmaster.

2.The grievance of the writ petitioner is that she is the senior most teacher working next below the Headmaster of this school. However, her name was placed below in the attendance register and accordingly she was unable to function as Assistant Headmaster. However, it is brought to the notice of this Court that in the attendance register enclosed in page No.1 of the typed-set of papers filed along with the writ petition would indicate that the name of the writ petitioner is placed in the Sl.No.2, for the month of January 2013 and July 2013. However, in August 2013 the name of the petitioner was not found in Sl.No.2, contrarily her name is placed in Sl.No.7. It is needless to state that in the attendance register of the teachers', the name of the Headmaster should be placed in

Sl.No.1, then the next Senior most teacher is to be placed in Sl.No.2.

3.The name of the teachers in the attendance register ought to be maintained as per their respective seniority and based on their date of appointment. Even otherwise also the senior most teacher is to be provided with the benefit of holding the post of Assistant Headmaster as per the Rules.

4.This being the factum the respondents are directed to maintain the list of the teachers in the attendance register as per their respective seniority and accordingly allot work as per the rules in force.

5.With these observation the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

stm

To

- 1.Director of School Education,
Chennai-600 006.
- 2.Chief Educational Officer,
Cuddalore, Cuddalore District.
- 3.District Educational Officer,
Cuddalore, Cuddalore District.
- 4.Headmaster,
Government Girls Higher Secondary School,
Virudhachalam- 606 001,
Cuddalore District.

+lcc to Government Pleader SR.No.42329

W.P.No.22206 of 2013

EV(CO)
GN(17/07/2018)