

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.27304 of 2018

Tmt.B.Kannikai Mary

.. Petitioner

vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Education Department
Secretariat, Chennai-9
2. The Director of School Education,
College Road, Chennai-6.
3. The Chief Educational Officer,
Salem.
4. The District Educational Officer,
Salem.
5. The Secretary,
St.Mary Girls Higher Secondary School,
Arisipalayam, Salem-9

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to upgrade the post of Secondary Grade Teacher, held by petitioner, as B.T.Assistant (Tamil) with effect from 01.06.2002 as per G.O.Ms.No.79 School Education Department dated 14.06.2002, by considering the representation of the petitioner dated 24.03.2018, in the light of the decision rendered by this Court in the case of R.Padma Sheela Rani Vs. State of Tamil Nadu, and others in W.P.(MD) No.1664 of 2005, dated 2.11.2006 and G.O.(3D) No.61 School Education (P1) Department dated 20.04.2012.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mrs.P.Kavitha
Government Advocate

O R D E R

Mrs.P.Kavitha, learned Government Advocate takes notice for the respondents.

2. By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

3. This Writ Petition has been filed for a direction to the respondents to upgrade the post of Secondary Grade Teacher, held by petitioner, as B.T.Assistant (Tamil) with effect from 01.06.2002 as per G.O.Ms.No.79 School Education Department dated 14.06.2002, by considering the representation of the petitioner dated 12.01.2018, in the light of the decision rendered by this Court in the case of R.Padma Sheela Rani Vs. State of Tamil Nadu, and others in W.P.(MD) No.1664 of 2005, dated 2.11.2006 and G.O.(3D) No.61 School Education (P1) Department dated 20.04.2012.

4. The learned counsel for the petitioner submitted that after issuance of the Government Order in G.O.Ms.No.79 dated 14.06.2002, the senior most Secondary Grade teachers like that of the petitioner are paid less than the B.T.Assistants whose posts are upgraded pursuant to the aforesaid Government order. The Chief Educational Officer also recommended the case of the petitioner by letter dated 28.03.2018. Hence, the petitioner made a detailed representation to the respondents on 12.01.2018, requesting to upgrade the Secondary grade post as B.T.Assistant Post and also to approve his appointment as B.T.Assistant with effect from 01.06.2002. But, the same has not been considered till date. Hence, the petitioner has filed this Writ Petition seeking for the aforesaid relief.

5. The learned Government Advocate who takes notice on behalf of the respondents submitted that the second respondent, who is a competent authority would consider and pass orders on the representation of the petitioner dated 24.03.2018, within a stipulated period, as directed by this Court.

6. Considering the facts and circumstances of the case and also considering the submissions made, this Court directs the second respondent to consider the representation of the petitioner, dated 24.03.2018 and pass appropriate orders on merits and in accordance with law, in the light of the Government Order in G.O.(3D) No.61 School Education (P1) Department dated 20.04.2012 and also based on the recommendations of the Chief Educational Officer, dated 28.03.2018, within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

arr

To

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Education Department
Secretariat, Chennai-9
2. The Director of School Education,
College Road, Chennai-6.
3. The Chief Educational Officer,
Salem.
4. The District Educational Officer,
Salem.
5. The Secretary,
St.Mary Girls Higher Secondary School,
Arisipalayam, Salem-9

+1 cc to Mr.S.N.Ravichandran, Advocate Sr.No.71412
+1 cc to The Government Pleader, Sr.No.71480

NRL (CO)
CSL/13.11.2018

सत्यमेव जयते

W.P.No.27304 of 2018

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