



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. [MD] .No.9843 of 2018

WEB COPY

P.Vijaya

: Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by the Secretary to Government,
School Education Department,
Fort.St.George, Chennai.
 2. The Director of Elementary School Education,
DPI Complex, College Road, Chennai 6.
 3. The District Elementary Educational Officer,
Virudhunagar District, Virudhunagar.
 4. The Assistant Elementary Educational Officer,
Sivakasi, Virudhunagar District.
- : Respondents

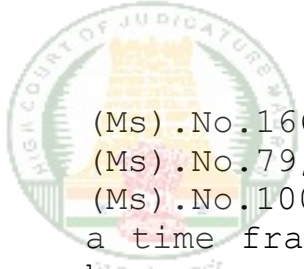
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to include the petitioner's name in promotion panel of the academic year 2018-2019 for the post of Middle School Headmaster, Sivakasi Union and Taluk, Virudhunagar District, in the light of G.O.(Ms).No.1383, Education [P.U.S.I] Department, dated 26.03.1988, G.O.(Ms).No.166, School Education Department, dated 07.06.1999, G.O.(Ms).No.79, School Education Department, dated 14.06.2002 and G.O.(Ms).No.100, School Education Department, dated 26.03.2018 within a time frame that may be stipulated by this Court, on the basis of considering the petitioner's representation dated 26.03.2018.

For Petitioner
For Respondents

:Mr.B.Anandan
:Mrs.S.Srimathy
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus directing the respondents to include the name of the petitioner in the panel for promotion, for the academic year 2018-2019, to the post of Middle School Headmaster, Sivakasi Union and Taluk, Virudhunagar District, in the light of G.O.(Ms).No.1383, Education [P.U.S.I] Department, dated 26.03.1988, G.O.



(Ms).No.166, School Education Department, dated 07.06.1999, G.O. (Ms).No.79, School Education Department, dated 14.06.2002 and G.O. (Ms).No.100, School Education Department, dated 26.03.2018 within a time frame that may be stipulated by this Court, by considering her representation dated 26.03.2018.

2. Heard Mr.B.Anandan, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

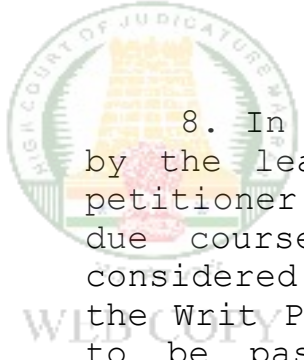
3. The learned counsel appearing for the petitioner would submit that the petitioner was originally appointed as a Secondary Grade Teacher on 13.08.1997 in a Panchayat Union School at Ramanathapuram District and subsequently, on her acquiring qualification, she had been promoted as BT Assistant and she has been working as BT Assistant [Maths] at Jameen Salvarpatti Panchayat Union School, Sivakasi Taluk and Union, Virudhunagar District.

4. The learned counsel would further submit that for promotion to the post of Middle School Headmasters, the feeder category must be from BT Assistants as well as the Elementary School Headmasters, who are basically Secondary Grade Teachers. He would further submit that they can teach or they can take classes upto 5th standard. Insofar as the standards 6, 7 and 8 are concerned, BT Assistants are eligible to take classes and therefore, priority must be given to BT Assistants for promotion to the post of Middle School Headmasters. In this regard, the petitioner had submitted a representation dated 24.03.2018 to the respondents herein. Since no action has been taken, the petitioner is now before this Court with the present Writ Petition for the relief stated supra.

5. Mrs.S.Srimathy, learned Special Government Pleader, on instructions from the respondents, would submit that the name of the petitioner has already been included in the panel of seniority for consideration and promotion to the post of Middle School Headmaster and according to her further instructions, her name is found at serial No.28 and therefore, this year, the name of the petitioner cannot be considered for promotion, as her seniority is not reaching the zone of consideration.

6. The learned Special Government Pleader would further submit that since no order, to that effect, as has been submitted by the learned Special Government Pleader, has been passed by the respondents, the said submission made by the learned Special Government Pleader, on instructions from the respondents, may be recorded, based on which the Writ Petition may be disposed of.

<https://hcservices.ecourts.gov.in/hcservices/> 7. In view of the above, the Court has considered the said submissions made by the learned counsel on either side.



8. In view of the above, by recording the said submission made by the learned Special Government Pleader that the name of the petitioner is found at Serial No.28 in the seniority list and in due course, i.e., in the years to come, her name would be considered for promotion to the post of Middle School Headmaster, the Writ Petition is disposed of, as no further order is required to be passed at this stage, beyond recording what has been submitted by the learned Special Government Pleader. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
School Education Department,
Fort.St.George, Chennai.
2. The Director of Elementary School Education,
DPI Complex, College Road, Chennai 6.
3. The District Elementary Educational Officer,
Virudhunagar District, Virudhunagar.
4. The Assistant Elementary Educational Officer,
Sivakasi, Virudhunagar District.

+1cc to Mr.B.Anandan, Advocate Sr.No.67640

+1cc to SPECIAL GOVERNMENT PLEADER, Sr.No.67785

Nb

MK/SB/SAR 4/27.06.2018/3P/7C

**ORDER MADE IN
W.P. [MD] .No.9843 of 2018
11.06.2018**