



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2018

CORAM

THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**

W.P. (MD) .No.15716 of 2018

and

WMP (MD) No.14075 of 2018

A.Mala

.. Petitioner

Vs.

1.The Director of School Education,
DPI Compound,
College Road,
Chennai - 600 006.

2.The Joint Director of School Education (Personal)
Directorate of School Education,
College Road,
Chennai - 600 006.

3.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

4.K.Mohammed Buhari
Superintendent,
District Education Office,
Tirunelveli.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the name of the petitioner over and above the name of the 4th respondent in the appropriate place for the post of Personal Assistant to the District Educational Officer by considering the representation dated 13.07.2018.

For Petitioner : Mr.P.Santhosh Kumar

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The Prayer sought for in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the name of the petitioner over and above the name of the 4th respondent in the appropriate place for the post of Personal Assistant to the District Educational Officer by considering the representation dated



2. Heard Mr.P.Santhosh Kumar, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3. The grievance of the petitioner is that the petitioner is working as Superintendent and the next higher post for which, the petitioner can be considered is, Personal Assistant to District Educational Officer and it is the further grievance of the petitioner that the 4th respondent being the junior of the petitioner has been included in the list for the persons who are eligible for the post of Personal Assistant to District Educational Officer, as per the proceedings in Na.Ka.No.014520/A3/E1/2018 dated 12.07.2018 in Serial No.38(A). Hence the petitioner has given a representation dated 13.07.2018 and therefore, the learned Counsel appearing for the petitioner would submit that if the said representation of the petitioner is directed to be considered by the respondents and an order to that effect is directed to be passed within a specified time frame that may be fixed by this Court, the petitioner would be satisfied.

4. I have heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents, who would submit that the said representation of the petitioner shall be considered by the respondents on merits and in accordance with law, after giving an opportunity to the 4th respondent also and orders to that effect would be passed within a period that may be fixed by this Court.

5. Considering the limited scope of prayer in the writ petition and also the submissions made by both sides, this Court is inclined to pass the following order :

"that the respondents 1 to 3 are directed to consider the representation of the petitioner dated 13.07.2018, after giving an opportunity to the 4th respondent also and decide the claim made by the petitioner, with regard to seniority and promotional option and pass orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. With this direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)



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Tirunelveli District.

4.K.Mohammed Buhari
Superintendent,
District Education Office,
Tirunelveli.

+1cc to Mr.P.Santhosh Kumar,Advocate Sr.No.73903
+1cc to SPL.Govt.Pleader, Sr.No.74123

RM

KM/SV/SAR2/12.12.2018/3P/7C

ORDER MADE IN
W.P. (MD) .No.15716 of 2018
19.07.2018