



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 27.03.2018  
CORAM

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

W.P.(MD) No.14130 of 2011  
and  
M.P(MD)No.1 of 2011

I.Rajapushpam

... Petitioner

-vs-

1.The Joint Director(Higher Education),  
Director of School Education,  
Directorate College Road,  
Chennai-6.

2.The District Educational Officer,  
SI.VA Higher Secondary School Complex,  
Va Road, Tuticorin.

3.The Chief Educational Officer of Tuticorin District,  
SI.VA Higher Secondary School Complex,  
Va Road,Tuticorin.

4.The Secretary,  
Kayalpattinam Arumuganeri  
Higher Secondary School,Arumuganeri,  
Peyanvilai,Tiruchendur Taluk, Tuticorin. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to promote the Petitioner to the post of Graduate Teacher(Tamil) in the vacancy at Kayalpattinam-Arumuganeri Higher Secondary School, Arumuganeri, Peyanvilai, Tiruchendur Taluk, Tuticorin District, at fourth respondent School within the time frame fixed by this Court.

|                  |                               |
|------------------|-------------------------------|
| For Petitioner   | : Mrs.S.Ramesh                |
| For Respondents  | : Mr.M.Muthu                  |
| 1 to 3           | Additional Government Pleader |
| For Respondent-4 | : Mr.C.Venkatesh Kumar        |
|                  | for M/s.Ajmal Associates      |

O R D E R

The relief sought for in this Writ Petition is for a direction to promote the Petitioner to the post of Graduate Teacher (Tamil) in the vacancy at Kayalpattinam-Arumuganeri Higher Secondary School, Arumuganeri, Peyanvilai, Tiruchendur Taluk, Tuticorin District, at fourth respondent School.



2.It is brought to the notice of this Court that the Writ Petitioner was allowed to retire from service on 31.5.2012 on attaining the age of superannuation. The learned Additional Government Pleader appearing for the respondents 1 to 3 further states that during the relevant point of time, the Writ Petitioner was facing certain criminal proceedings and the same was pending. Under these circumstances, this Court is of an opinion that the relief as such sought for to promote the Petitioner as Graduate Teacher(Tamil) cannot be considered after a length of time.

3.The learned counsel for the Writ Petitioner states that the leave salary as admissible to the Writ Petitioner is yet to be paid. In this regard, the Petitioner is permitted to submit a representation and in the event of receiving any such representation, the competent authorities are bound to consider the same on merits and in accordance with law.

4.Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Joint Director(Higher Education),  
Director of School Education,  
Directorate College Road,  
Chennai-6.

2.The District Educational Officer,  
SI.VA Higher Secondary School Complex,  
Va Road, Tuticorin.

3.The Chief Educational Officer of Tuticorin District,  
SI.VA Higher Secondary School Complex,  
Va Road,Tuticorin.

+1cc to Special Government Pleader, SR.No. 59321

+1cc to M/S.V.Raghavachari, Advocate SR.No. 58619

+1cc to M/S.Ajmal Associates, Advocate SR.No. 58571

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