

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2019

CORAM

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

W.P.No.4860 of 2018

Joseph K.K.

..Petitioner

vs

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Fort St. George, Chennai,
Tamil Nadu-600009.

2. The Chief Education Officer,
C.E.O. Office,
Udagamandalam,
Nilgiris,
Tamil Nadu.

3. The District Education Officer,
Gudalur, Nilgiris District,
Tamil Nadu.

4. The Director of School Education,
College Road, Chennai- 600 006.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to consider the representations of the petitioner dated 07.03.2016, 07.06.2017, 19.06.2017 and include the petitioner's name in promotion panel of PG Teachers of Nilgiri District and also to provide Selection Grade to the petitioner.

For Petitioner : Mr. P. George Giri

For Respondents : Mr. A. Rajaperumal,
Additional Government Pleader

O R D E R

The relief as such sought for in the present Writ Petition is for direction to direct the respondent to consider the representations submitted by the writ petitioner on 07.03.2016, 07.06.2017, 19.06.2017 and include the petitioner's name in the promotion panel of PG teachers of Nilgiri District.

2. Promotion can never be claimed as a matter of right. However, considering for promotion is a fundamental right of a employee, all eligible persons to be considered at the time of preparation of panel for promotion to the higher posts. Promotion are to be strictly granted in accordance with law with the Rules in force.

3. Under these circumstances, the relief as such sought for in the present Writ Petition deserves no consideration, if at all, the petitioner is fully eligible and qualified in accordance with law with the Rules in force, his case is also to be considered along with all other eligible candidates at the time of preparation of panel.

4. Preparation of panel and filling up of the post is an administrative decision to be taken by the Competitive Authorities. Thus, whenever the decision is taken, to fill up of the post and to prepare the panel, all the eligible persons to be considered with reference to the preparation of panel.

5. With these observations, the Writ Petition stands dismissed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

mrn/mrm

To

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Fort St. George, Chennai,
Tamil Nadu-600009.

2. The Chief Education Officer,
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Udagamandalam,
Nilgiris,
Tamil Nadu.

3. The District Education Officer,
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Tamil Nadu.

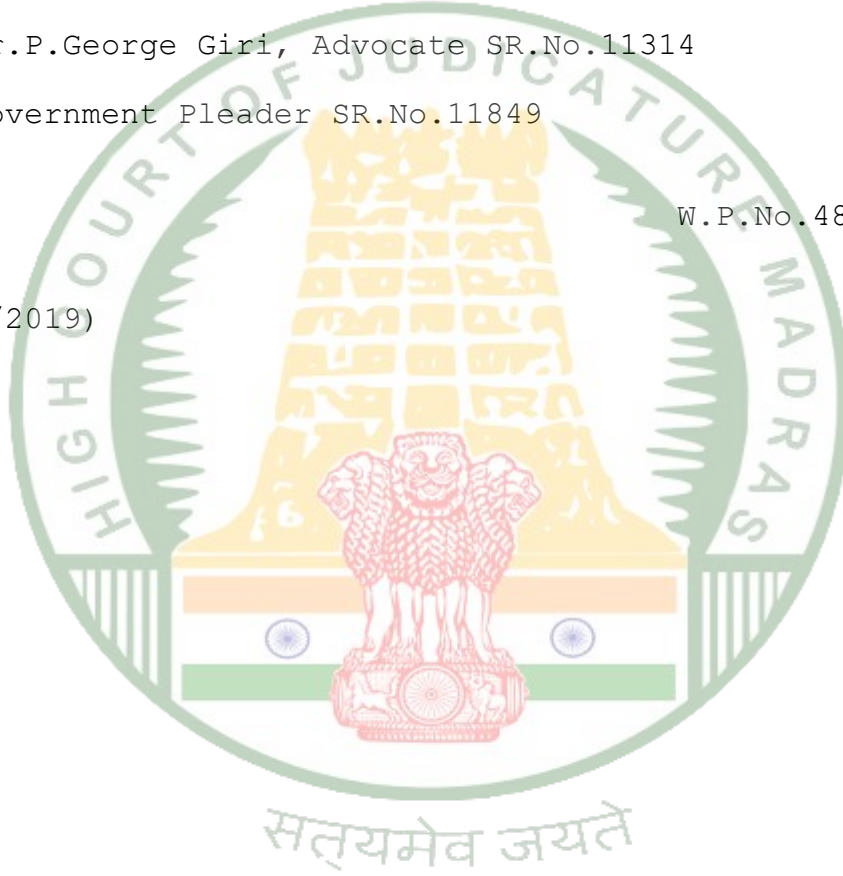
4. The Director of School Education,
College Road, Chennai- 600 006.

+1cc to Mr.P.George Giri, Advocate SR.No.11314

+1cc to Government Pleader SR.No.11849

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NRL (CO)
GMY (13/03/2019)



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