

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.09.2019
CORAM
THE HONOURABLE Mr. JUSTICE M. DHANDAPANI
W.P.No.14007 of 2019

S. Ramesh

... Petitioner

vs

1.The Director of School Education,
School Education Department,
Government of Tamil Nadu,
Chennai - 600 006.

2.The Joint Director of School Education,
(Establishment Wing),
Government of Tamil Nadu,
Chennai - 600 006.

3.The Joint Director of School
Education, (Higher Secondary),
Government of Tamil Nadu,
Chennai - 600 006.

4.The Chief Educational officer,
Education Department,
Thiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the representation of the petitioner dated 11.02.2019 and to include his name in the panel of Teachers in Academic Subject (Post Graduate Teacher/Physical Director Grade I) fit for promotion to the post of Higher Secondary School Head Master considering his length of service rendered in the post of Teachers in Academic Subject (Post Graduate Teacher) in the Tamil Nadu Higher Secondary Educational Service and to promote him accordingly on merits and in accordance with law within a time frame.

For Petitioner : M/s.Law Square

For Respondents : Mr.A. Rajaperumal
Additional Government Pleader

ORDER

This petition has been filed to direct the 1st respondent to dispose of the petitioners representation dated 11.02.2019 and to include his name in the panel of Teachers in Academic Subject (Post Graduate Teacher)/Physical Director Grade I fit for promotion to the post of Higher Secondary School Head Master considering his length of service rendered in the post of Teachers in Academic Subject (Post Graduate Teacher) in the Tamil Nadu Higher Secondary Educational Service and to promote him accordingly on merits and in accordance with law.

2.It is the case of the petitioner that the petitioner was appointed as Second Grade Teacher and joined duty on 01.07.1991 at A.N.M. Elementary School, Thiruvallur. Considering his B.Ed., qualification, the petitioner was promoted as School Assistant (B.T. Assistant) under the Tamil Nadu Educational Subordinate Service B Wing and he joined duty on 16.08.2001. Thereafter, he was appointed as Teacher in Academic subject in the scale of pay of Rs.6500-200-10500 under the Tamil Nadu Higher Secondary Educational Service by transfer from the post of School Assistant (B.T. Assistant) and joined duty on 17.06.2002.

3.Though the petitioner was fully qualified for the promotion to the post of Head Master in Higher Secondary School from the post of Teacher in Academic Subject (Post Graduate Teacher) as per G.O.Ms.No.720, Education, dated 28.04.1981, he was promoted as High School Head Master and joined duty on 17.08.2016. Thereafter, the 1st respondent has issued proceedings dated 11.01.2019 and 01.02.2019 calling for the list of qualified Teachers from Teachers in Academic subject/language (post Graduate Teacher) and physical Director Grade I fit for promotion to the post of Higher Secondary School Head Master. Based on the abovesaid proceedings, the petitioner submitted a representation dated 11.02.2019 to the 1st respondent through the 4th respondent requesting to consider his name in the panel of Teachers in Academic Subject/Language (Post Graduate Teacher) and physical Director Grade I fit for promotion to the post of Higher Secondary School Head Master. But, the 4th respondent without considering the clarification issued by the 1st respondent on 01.02.2019 has returned the representation dated 11.02.2019 of the petitioner.

4.The learned counsel for the petitioner would submit that it would be suffice to issue directions to the respondents to dispose of the representation in accordance with law.

5.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the

petitioner, this Court permits the petitioner to resubmit the representation within a period of one week from the date of receipt of a copy of this order, thereafter the 1st respondent consider the same and pass appropriate orders within a period of twelve weeks.

With the above direction, the Writ Petition is disposed of.
No cost.

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

mps

To

1.The Director of School Education,
School Education Department,
Government of Tamil Nadu,
Chennai - 600 006.

2.The Joint Director of School Education,
(Establishment Wing),
Government of Tamil Nadu,

3.The Joint Director of School
Education, (Higher Secondary),
Government of Tamil Nadu,
Chennai - 600 006.

4.The Chief Educational officer,
Education Department,
Thiruvallur District.

+1cc to M/s. Law Square, Advocate, SR.No.79492.

+1cc to Government Pleader, SR.No.79694.

BP (CO)
CSR: 04/02/2020

W.P.No.14007 of 2019