

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.22582 of 2019

S.Jayakumar

...Petitioner

vs.

1.The Commissioner,
Most Backward Classes and Minority
Welfare Department,
Ezhilagam, Chennai.

2.The District Backward Classes & Minorities
Welfare Officer,
Villupuram District,
Villupuram.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, directing the 2nd respondent to promote the petitioner as Tutor-cum-Warden by considering the B.Ed., Degree of the petitioner within a reasonable time as this Court may deem fit proper and pass such other further relief under the circumstances arising out of the case.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the second respondent to promote the petitioner as Tutor-cum-Warden by considering the B.Ed., Degree of the petitioner within a reasonable time as this Court may deem fit proper and pass such other further relief under the circumstances arising out of the case.

2.The case of the petitioner is that the petitioner was entered into service as Assistant Cook through employment exchange in the year 1998. Thereafter, his service has been regularized in the year 2007. While the second respondent granted permission for undergoing B.Ed., course in a regular college. In the year 2015, the petitioner completed B.Ed.,

course and the petitioner joined as B.Ed. Teacher Education in the year 2017. Thereafter, the petitioner made a request to the second respondent to register his B.Ed., qualification in the service register consequently promote him as a Tutor Grade-II. Based on the request of the petitioner, the second respondent has sent a proposal to the first respondent on 14.06.2018 recommending the petitioner name for promotion to the post of Warden-Tutor. Till date, the proposal was not considered. Hence, the petitioner filed a Writ Petition before this Court.

3.The learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the first respondent to consider proposal sent by the second respondent and to dispose of the same within a specified time as fixed by this Court.

4.Without going into the merits of the case and without expressing any opinion, I am inclined to issue direction to direct the first respondent to consider the proposal and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

pam

To

1.The Commissioner,
Most Backward Classes and Minority
Welfare Department,
Ezhilagam, Chennai.

2.The District Backward Classes & Minorities
Welfare Officer,
Villupuram District,
Villupuram.

+1 CC to Mr.S.Sivakumar, Advocate sr 85327

+1 CC to Govt. Pleader sr 85115.

W.P.No.22582 of 2019

SP(23/10/2019)