IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26576 of 2019

V.Nagarajan ... Petitioner

Vs.

1. The Director of School Education
   DPI Campus
   No.17, College Road,
   Chennai - 600 034.

2. The Joint Director of School Education
   (Personnel)
   Chennai - 600 006. ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's name for promotion to the post of Grade II Physical Director on par with the petitioner's eligibility, merit and seniority, by considering his representation dated 09.08.2019.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.C.Munusamy,
Special Government Pleader.

O R D E R

Mr.C.Munusamy, learned Special Government pleader accepts notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner completed H.P.Ed in the year 1983 and was appointed as a Physical Education Teacher through employment exchange on 07.12.1988 in Beleguli Middle School. Subsequently, the petitioner completed M.P.Ed from Bharathidasan University, Trichy and thereafter he was promoted to the post of Grade-II

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Physical Director as per G.O.Ms.No.6194/C4/E2 on 27.07.2012. After promotion, he was posted at Government Boys Higher Secondary School, Nemili, Vellore District. Thereafter, he was transferred to the Periyar Boys Higher Secondary School, Nagarasampatti. While on service at Nagarasampatti, the 1st respondent have passed an undisclosed order dated 31.07.2015, directing the Headmaster of the school concerned to send the petitioner's service Register with last pay certificate to the Government Boys Higher Secondary School, Denkanikottai. The petitioner was not served with any order of transfer or de-promotion, but relieved from Nagarasampatti School and orally instructed to join duty at Denkanikottai Boys Higher Secondary School. Accordingly, the petitioner joined as Physical Education Teacher at Denkanikottai instead of Physical Director Grade-II. Only then, the petitioner came to know that he was de-promoted from the post of Physical Director Grade II to Physical Education Teacher for the reason that the petitioner's service in the Middle School was wrongly counted for promotion to the post of Physical Director Grade II. Therefore, the petitioner has sent a representation dated 09.08.2019, to the 1st respondent to consider his name for promotion to the post of Physical Director Grade II. Since, the said representation was not considered, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction to the 1st respondent to consider the petitioner's representation and pass orders.

5.Thus, without going into the merits of the case, the 1st respondent is directed to consider the representation submitted by the petitioner on 09.08.2019 and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

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To

1. The Director of School Education
   DPI Campus
   No.17, College Road,
   Chennai - 600 034.

2. The Joint Director of School Education
   (Personnel)
   Chennai - 600 006.

+1 cc to Mr.N.Manokaran, Advocate, S.R.No.77518

+1 cc to the Government Pleader, S.R.No.78139

W.P.No.26576 of 2019

SPD(CO)
SSM(23/09/2019)

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