

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.09.2019
CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27013 of 2019

K.Vanaja

...Petitioner

Versus

1.The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai-600 009.

2.The Principal Chief Conservator of Forest,
and Head of the Forest Department,
PangalMaligai, Saidapet, Chennai-600 015.

3.The Chief Conservator of Forests cum Field Director,
Anaimalai Tiger Reserve,
Pollachi, Coimbatore District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 28.01.2012 and 09.07.2012 and the proposal of the second respondent thereon dated 27.03.2013 and 31.12.2014 thereon and in the light of G.O.Ms.No.147 Environment and Forest Department dated 13.05.1993 on merits and in accordance with law with in a limited a time frame for upgradation petitioner as Elementary School Headmaster from 02.07.1992 and as Middle School Head Master from July 2007 and to grant such other further relief as this Court may deem fit and proper under the circumstances arising out of this case.

For Petitioner : M/s.T.Dharani

For Respondents : Mr.M.Elumalai

Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 28.01.2012 and 09.07.2012 and the proposal of the second respondent dated 27.03.2013 and

31.12.2014 thereon and in the light of G.O.Ms.No.147 Environment and Forest Department dated 13.05.1993 on merits and in accordance with law, within a limited time frame.

2. According to the petitioner, she was appointed as Secondary Grade Teacher through employment exchange on 16.03.1990 in Hills Tribes residential school, Pollachi. Thereafter his probation was declared on 02.07.1992. Since the school happened to be a single teacher school, the petitioner has been discharging the duties of Head Master. While so after 01.06.1988, pay scale of Rs.1400-40-1600-50-200-60-2600 was introduced, by which the secondary grade teacher who looks after the duties of the Head Master is being paid this pay scale where there was no post of elementary school Head Master. According to the petitioner, since she has been discharging the duties of Head Master, she is fully eligible for the said pay. The petitioner submitted a detailed representation on 28.01.2012 to the first respondent to consider his claim for appointment to the post of Head Master. According to the petitioner, there was exchange of proceedings among the respondents and regarding upgradation of the school and sanction of the secondary grade teachers and Head Master. While so, by G.O.Ms.No.147 Environment and Forest Department dated 13.05.1993, the Government has accorded for sanction for upgradation of 16 similarly placed secondary grade teachers as elementary school Head Masters. The grievances of the petitioner is that in the said GO, the petitioner's claim was not considered. Hence, the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that the petitioner has been working as secondary grade teacher and has been discharging the duties of Head Master in the school where there was no post of Head Master and even after upgradation of the school, the claim of the petitioner for appointment to the post of Head Master, has not been considered, despite the proposal of the second respondent dated 27.03.2013 and 31.12.2014 and though the petitioner is fully eligible for the same. Hence, the learned counsel seeks a direction to the respondents to consider the representation of the petitioner and pass appropriate orders thereon.

4. In view of the above facts and circumstances and submissions made by the learned counsel for the petitioner, this Court disposes the writ petition with the following directions:-

"The respondents are directed to consider the representation of the petitioner dated 28.01.2012 and 09.07.2012 in the light of the proposal sent by the second respondent dated 27.03.2013 and 31.12.2014 and pass appropriate orders in accordance with

law and on merits, within a period of twelve weeks from the date of receipt of copy of this order."

5.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Chennai-600 009.
- 2.The Principal Chief Conservator of Forest,
and Head of the Forest Department,
PangalMaligai, Saidapet, Chennai-600 015.
- 3.The Chief Conservator of Forests cum Field Director,
Anaimalai Tiger Reserve,
Pollachi, Coimbatore District.

+1cc to M/s.T.Dharani, Advocate sr.77904
+1cc to Special Government Pleader(Forest) sr.78100

W.P.No.27013 of 2019

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nr 05/11/2019

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