

W.P.No.30439 of 2019
and
W.M.P No.30449 and 30450 of 2019

M.DHANDAPANI, J.,

Today, this Writ Petition is listed under the caption 'for being mentioned'.

2.It is stated by the learned counsel appearing for the petitioner that at paragraph No.3 of my earlier order dated 24.10.2019, it has been wrongly mentioned as "**Similarly, petitioners 2 to 4 were initially appointed through Teachers Recruitment Board,....**" instead of the petitioners 2 to 5.

3.As prayed for the learned counsel for the petitioner, the sentence "**petitioners 2 to 4**" shown in paragraph No.3 of my earlier order dated 24.10.2019, shall be deleted and the same shall be substituted as "**petitioners 2 to 5**".

4. It is made clear that, all other observations made in the said order shall remain intact.

22.11.2019

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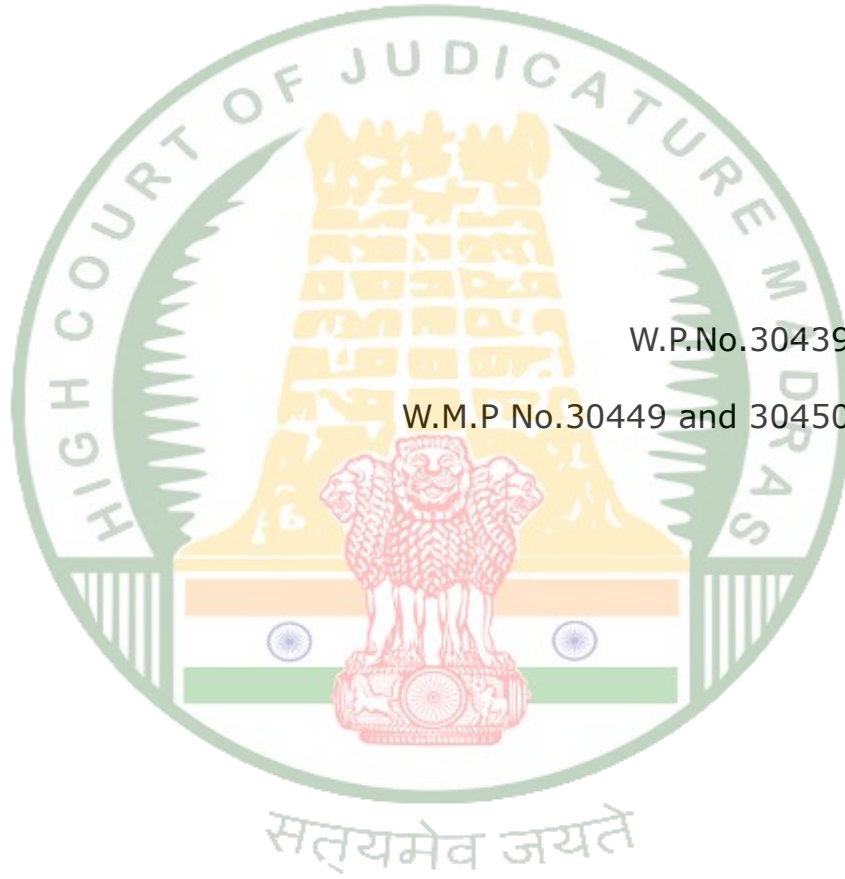
Note: Registry is directed to carry out necessary corrections in the said order and issue fresh order copy to the parties concerned.



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M.DHANDAPANI, J.,

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W.P.No.30439 of 2019
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22.11.2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30439 of 2019

and

W.M.P No.30449 and 30450 of 2019

1.K.Thirupathi
2.S.Sivakumar
3.P.Pasupathy
4.M.A.Pazhanivel
5.K.Ezhumalai

... Petitioners

Vs.

1. State of Tamil Nadu
Rep. by the Secretary to Government
School Education Department
St. Fort George
Chennai-600 009.
2. The Director of School Education
College Road
Chennai-600 006.
3. The Joint Director Kallar Reclamation
Madurai
Madurai-20.
4. Director of Elementary Education
College Road,
Chennai-600 006.
5. Joint Director of School Education
(Higher Secondary)
College Road,
Chennai-600 006.
6. The Chairman
Teacher Recruitment Board
E.V.K Sampath Building
D.P.I Complex,

Chennai-600 006.

7. The Chief Educational Officer
Ariyalur District, Ariyalur

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to direct the Chief Education Officer, Ariyalur District, Ariyalur / 7th respondent herein, to include the name of the petitioners in the tentative seniority list for the panel for the promotion to the post of Post Graduate Assistants and to promote them with all consequential benefits.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.C.Munusamy
Special Government Pleader(Education)

ORDER

Writ Petition is filed for issuance of Writ of Mandamus, directing the 2nd respondent to direct the Chief Education Officer, Ariyalur District, Ariyalur / 7th respondent herein, to include the name of the petitioners in the tentative seniority list for the panel for the promotion to the post of Post Graduate Assistants and to promote them with all consequential benefits.

2. Heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3.The 1st petitioner was initially appointed through the Teachers

Recruitment Board as Graduate Teacher viz., B.T Assistant (maths) in the year 2006 and subsequently transferred to School Education Department in the year 2011. Similarly, petitioners 2 to 4 were initially appointed through Teachers Recruitment Board, in the Elementary School Education department and subsequently, transferred to School Education Department. The petitioners have filed separate writ petitions to take the date of their earliest appointment through Teachers Recruitment Board as the date of joining for the purpose of preparation of promotion panel. The Director of School Education also directed the Educational Authorities to prepare promotion selection panel vide proceedings dated 26.07.2019. Whilesso, the Joint Director of Tamil Nadu School Education (Higher Secondary) Chennai, vide proceedings in Na.Ka.No.049969/W2/E1/2019 dated 17.10.2019 directed the Chief Educational Officer to take the date of appointment of the Teachers in the School Education Department from unit transfer and to submit the report by 24.10.2019. Thereafter, the petitioners made representations to the 7th respondent to include their names in the Tentative Seniority List for the panel for the promotion to the post of Post Graduate Assistants and to promote them with all consequential benefit. Till date, the petitioners' representation was not considered. Hence the present writ petition is filed.

4.The learned counsel for the petitioners submitted that though the petitioners were initially appointed through the Teachers Recruitment Board as Graduate Teacher, they are entitled to consider for promotion on par with

the persons who are working in the regular school in order to avail the benefits as per the order in **G.O Ms.86(1D) dated 02.03.2011** and they also made representations to the 7th respondent. He would further submit that it would suffice if a direction is issued to the 7th respondent to consider the representation of the petitioners' dated 21.10.2019, within a reasonable time as fixed by this Court.

5.The learned Special Government Pleader appearing for the respondents accede to the submission made by the learned counsel for the petitioners and submitted that if any such representation was received by the respondents, the same will be considered on merits and in accordance with law.

6.Thus, without going into the merits of the case, this Court is inclined to direct the the 7th respondent to consider the representation of petitioners dated 21.10.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

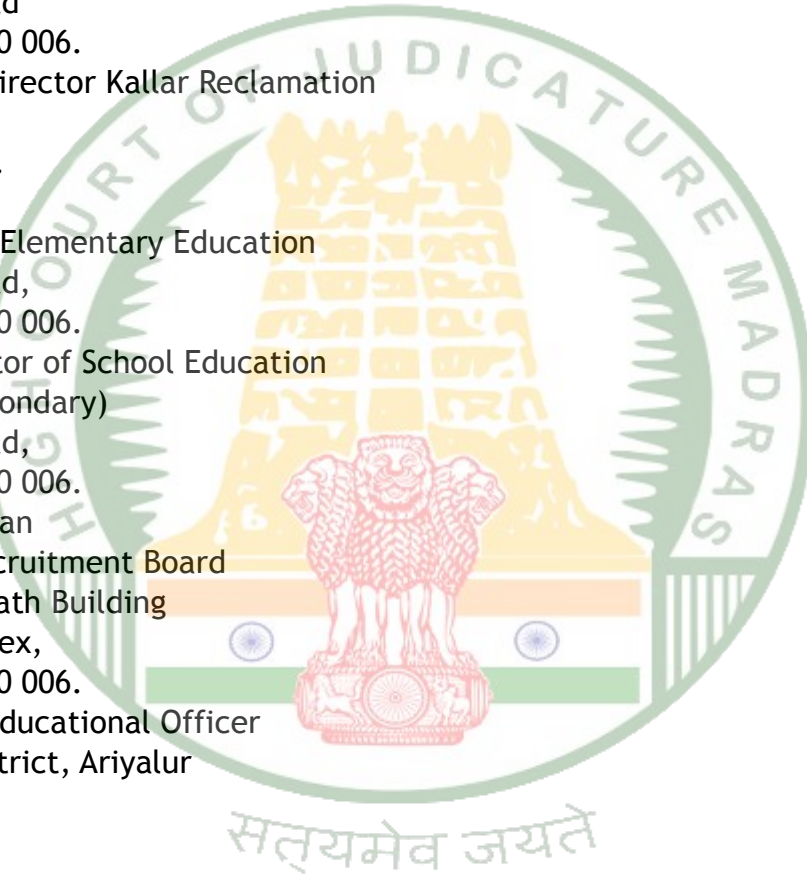
7.With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

24.10.2019

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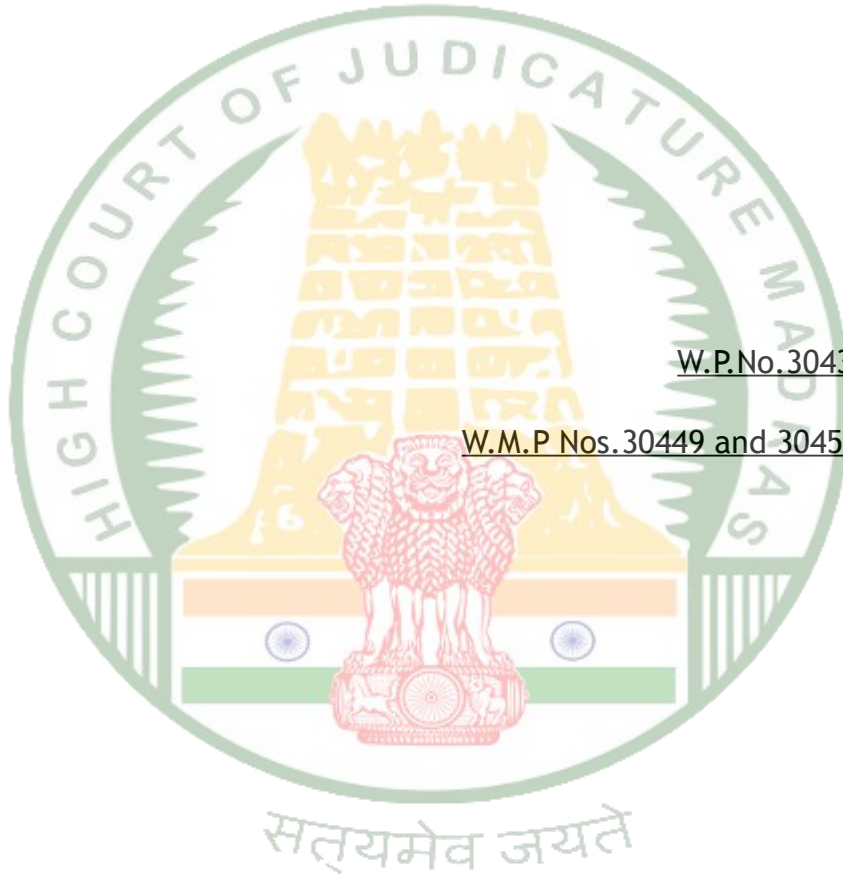
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