

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31059 of 2019
and
W.M.P No.31171 of 2019

M.Raveendiran

... Petitioner

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. Joint Director of School Education
(Higher Secondary)
College Road,
Chennai-600 006.
 5. The Chairman
Teacher Recruitment Board
E.V.K Sampath Building
D.P.I Complex,
Chennai-600 006.
 6. The Chief Educational Officer
Villupuram District, Villupuram.
- ... Respondents

Prayer :- Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to direct the Chief Educational Officer, Villupuram District, Villupuram / 6th respondent herein, to include the name of the petitioner in the promotion panel for the promotion to the post of Post Graduate Assistants on the basis of the Tentative Seniority List dated 26.07.2019 and to promote them with all consequential benefits.

For Petitioner : Mr.M.Gnanasekar

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

O R D E R

Writ Petition is filed for issuance of Writ of Mandamus, directing the 2nd respondent to direct the Chief Educational Officer, Villupuram District, Villupuram / 6th respondent herein, to include the name of the petitioner in the promotion panel for the promotion to the post of Post Graduate Assistants on the basis of the Tentative Seniority List dated 26.07.2019 and to promote them with all consequential benefits.

2. Heard the learned counsel for the petitioner 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 petitioner was initially appointed through the Teachers Recruitment Board as Graduate Teacher in the year 2006 and subsequently transferred to School Education Department in the year 2011. The petitioner has filed separate writ petitions to take the date of his 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. While so, 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 petitioner has made a representation dated 25.10.2019 to the respondents to include his name in the Tentative Seniority List for the panel for the promotion to the post of Post Graduate Assistant and to promote him with all consequential benefit. Till date, the petitioner's representation was not considered. Hence the present writ petition is filed.

4.The learned counsel for the petitioner submitted that though the petitioner was initially appointed through the Teachers Recruitment Board as Graduate Teacher, he is 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 he has also made a representation to the respondents. He

would further submit that it would suffice if a direction is issued to the 6th respondent to consider the representation of the petitioner dated 25.10.2019, within a reasonable time as fixed by this Court.

5.The learned Special Government Pleader appearing for the respondents has acceded to the submission made by the learned counsel for the petitioner 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 hereby directs the 6th respondent to consider the representation of petitioner dated 25.10.2019 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 petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

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6. The Chief Educational Officer
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+lcc to Mr.M.Gnanasekar, Advocate SR.91165

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and
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MP (CO)
CB(16/12/2019)



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