

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34722 of 2019

V.Devendiran

...Petitioner

Vs.

1. The State of Tamil Nadu Rep by its
Secretary to Government,
School Education Department,
Secretariat,
 2. The Director of Elementary Education,
DPI Complex, College Road,
Chennai 600 006.
 3. The District Elementary Education Officer,
Thiruvannamalai Union,
Thiruvannamalai.
 4. The Assistant Elementary Education Officer,
Thiruvannamalai Union,
Thiruvannamalai.
- ..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to implement the direction issued by the Hon'ble Court in WP Nos.22422 of 2014 dated 20.08.2014 in 'letter and spirit' and disburse the monetary benefits with effect from 2012.

For Petitioner : Mrs.K.Jenitha

For Respondents : Mrs.V.Annalakshmi
Government Advocate for R1 to R4

O R D E R

This writ petition has been filed for a issue of writ of Mandamus directing the respondents to impliment the earlier direction given by this Court and disburse the monetary benefits.

2. It is the case of the petitioner that she was appointed as Secondary Grade Teacher in the year 1991 and thereafter, she was promoted as a BT Assistant. According to

the petitioner, her next avenue of promotion is to the post of Middle School Head Master. The petitioner was not considered for the post of Middle School Head Master on the ground that she has not completed 10+2+3 pattern. The petitioner therefore filed a writ petition before this Court in WP No.22422 of 2014 and this Court by an order dated 20.08.2014 had allowed the writ petitions and para 22 of the impugned proceedings dated 13.09.2011 was quashed and the respondents were directed to consider the case of the petitioner without insisting for the petitioner to pass +2 examination and accept the two years Diploma in Teachers Education as equivalent to +2 examination.

3. Thereafter, the petitioner was promoted by the 3rd respondent by an order dated 26.06.2015. The seniority of the petitioner was fixed from 01.01.2015 without monetary benefits. The petitioner therefore made a representation dated 09.03.2016 to the respondent to give all the consequential benefits and the 4th respondent had replied to the petitioner that the order passed by this Court in WP No.22422 of 2014 did not indicate anything regarding the monetary benefits and therefore, the petitioner was not paid the consequential benefits. The petitioner therefore submitted an appeal before the 3rd respondent and since no orders have been passed, the present writ petition has been filed.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the Appeal filed by the petitioner on 07.03.2018, in line with the orders passed by this Court in WP No.22422 of 2014 and pass orders strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

WEB COPY

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

rka

To

1. The State of Tamil Nadu Rep by its
Secretary to Government,
School Education Department,
Secretariat,

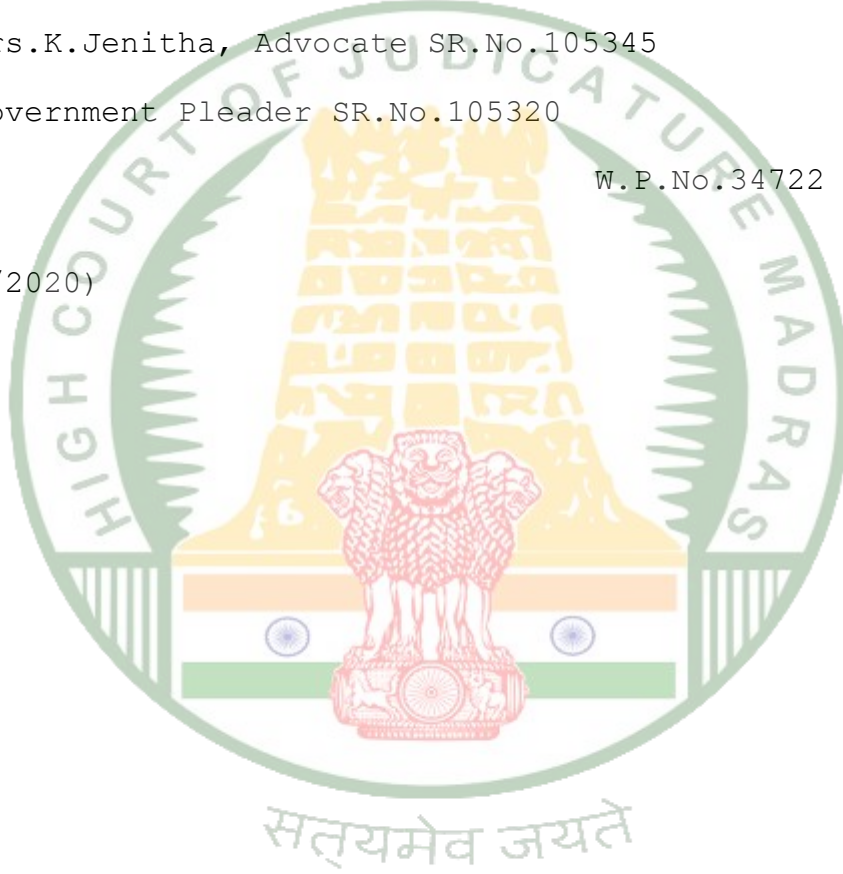
2. The Director of Elementary Education,
DPI Complex, College Road,
Chennai 600 006.
3. The District Elementary Education Officer,
Thiruvannamalai Union,
Thiruvannamalai.
4. The Assistant Elementary Education Officer,
Thiruvannamalai Union,
Thiruvannamalai.

+1cc to Mrs.K.Jenitha, Advocate SR.No.105345

+1cc to Government Pleader SR.No.105320

W.P.No.34722 of 2019

GMV (20/01/2020)



WEB COPY