

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-03-2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.26548 of 2018

M.Thirunavukkarasu

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The Director of School Education,
DPI Campus,
College Road,
Chennai-600 006.

3.The Joint Director of School Education (Personnel),
Chennai District,
Chennai.

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the representation submitted by the petitioner dated 11.1.2017 for grant of promotion to the post of B.T. Assistant (Maths) retrospectively with effect from 18.6.2002 based on the seniority and qualification of the petitioner with all consequential and other attendant benefits including arrears of salary.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.A.Raja Perumal,
Additional Government Pleader.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner dated 11.1.2017 for grant of promotion to the post of B.T. Assistant (Maths) retrospectively with effect from 18.6.2002 based on the seniority and qualification of the writ petitioner with all consequential and other attendant benefits including arrears of salary.

2. The very relief sought in the present writ petition is absolutely misconceived.

3. The grievance in relation to the promotions are to be adjudicated by the employees within the reasonable period of time. Even as per the Rules in respect of objections to be raised for promotion of juniors or the dispute relating to seniority is three years.

4. However, the present writ petition is for a direction to consider the representation dated 11.1.2017 in order to consider the case of the writ petitioner for grant of promotion to the post of B.T. Assistant (Maths) retrospectively with effect from 18.6.2002. The person whose left over is ready for long back, he cannot wake up one fine morning and knocked the doors for the purpose of redressal of his grievances.

5. This apart, the Hon'ble Supreme Court of India also held that such a direction to dispose of the representation do not serve to the cause of justice, the litigant is back again before this Court. This apart, in the present case, the writ petitioner has not established any ground for such a long delay in filing the writ petition as well as he representation dated 11.1.2017.

6. Thus, the writ petition is devoid of merits and the same stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George, Chennai-600 009.

2.The Director of School Education,
DPI Campus, College Road, Chennai-600 006.

3.The Joint Director of School Education (Personnel),
Chennai District, Chennai.

+1cc to Mr. G.Sankaran, Advocate SR.No. 30204

+1 cc to Government Pleader SR.NO. 31069

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NMI (CO)

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A.SR(22/04/2019)