

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 02.08.2019

CORAM:

WEB COPY

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD)No.11343 of 2010****and****M.P. (MD) .No.1 of 2010**

Mrs.L.Saroja

... Petitioner

Vs.

1. The Joint Director of Elementary Education,
Chennai.
2. The District Elementary Education Officer,
Sivagangai District.
3. The Assistant Elementary Education Officer,
Singampuneri,
Sivagangai District.
- 4.Mr.K.Balu

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of reversion in Na.ka.No.711/Aa5/2010 dated 16.08.2010 on the file of the respondent No.2 and the consequential relieving order in Na.Ka.No.657/A2/2010 dated 18.08.2010 on the file of the respondent No.3 and quash the same as illegal.

For Petitioner	: Mr.T.Lajapathi Roy
For R1 to R3	: Mrs.S.Srimathy Special Government Pleader
For R4	: No appearance

ORDER

The writ petitioner is now working as B.T.Assistant. The order of reversion dated 18.08.2010 reverting the writ petitioner from the post of Headmistress Panchayat Union Middle School to B.T.Assistant Mathematics is under challenge in the present writ petition.



2.The order impugned states that the writ petitioner was reverted from the post of Headmistress to B.T.Assistant on account of certain administrative reasons. The Reason stated in the impugned order is that one Assistant Elementary Educational Officer, who was serving in Thiruvarangulam Panchayat, Pudukottai District was transferred as Middle School Headmaster in proceeding dated 16.08.2010, with a view to accommodate that transferred Assistant Elementary Educational Officer as Headmaster in the Middle School, the petitioner was reverted to the post of B.T.Assistant.

3.Undoubtedly, in order to accommodate one person, who is senior to the writ petitioner, the impugned order of reversion was passed. However, at this length of time, this Court is not inclined to go into the circumstances arose for such reversion as well as the transfer of the senior employee from Pudukottai District to the place in which the writ petitioner was worked. Already 9 years were lapsed. The writ petitioner is continuing as B.T.Assistant for the past about 9 years. Thus, the case of the writ petitioner has to be considered for appointment/promotion to the post of Headmistress, whenever the vacancies are arose and in accordance with the seniority.

4.Under these circumstances, the respondents are directed to consider the case of the writ petitioner for promotion/appointment to the post of Headmistress in the arising vacancy, with reference to the seniority and eligibility.

5.With these directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed. However, whenever the vacancy arises, the writ petitioner is also at liberty to submit a representation to the authorities.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Joint Director of Elementary Education,
Chennai.

<https://hcservices.hccourts.gov.in/hcservices/>
2. The District Elementary Education Officer,
Sivagangai District.



3. The Assistant Elementary Education Officer,
Singampuneri,
Sivagangai District.

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-79680[F] dated
05/08/2019)

+1 CC to MR.T.LAJAPATHI ROY, Advocate (SR-79631[F] dated
05/08/2019)

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and
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