



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P.(MD)No.2817 of 2018

M.Baning Durairaj

... Petitioner

Vs.

1. The Principal Secretary to Government,
School Education Department,
Secretariat, St.George Fort, Chennai.
 2. The Director of Elementary Educational Department,
DPI Campus, College Road, Chennai.
 3. The District Elementary Education Officer,
Ramanathapuram, Ramanathapuram District.
 4. The Assistant Elementary Educational Officer,
Thiruvadanai, Ramanathapuram District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents herein to consider petitioner's request for reverting him back to the post of Secondary Grade Teacher from the post of B.T.Assistant (Tamil) and consequently include petitioner name in promotion panel list, dated 01.01.2018 for the post of Primary School Headmaster within the time limit as may be fixed by this Court.

For Petitioner : Mr.S.Manikandan

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

Seeking for a direction to the respondents to revert back the petitioner to the post of Secondary Grade Teacher from the post of B.T.Assistant (Tamil) and to include the petitioner's name in the promotion panel list, dated 01.01.2018 for the post of Primary School Headmaster, the present writ petition has been filed.

2. Heard the learned Counsel on either side and persused the materials available on record.



3.It is the case of the petitioner that he was initially appointed as Secondary Grade Teacher in 1999 and subsequent thereto, he was promoted as B.T.Assistant in 2012. Due to his family situation, he wants to revert back himself to the post of Secondary Grade Teacher. In this regard and also to include his name in the promotion panel list for the post of Primary School Headmaster, the petitioner made several representations to the respondents. However, there was no progress on the representation of the petitioner. Hence, he is before this Court.

4.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the grievance of the petitioner would be addressed on merits.

5.Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 24.01.2018, on merits and in accordance with law, and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
School Education Department,
Secretariat, St.George Fort, Chennai.
2. The Director of Elementary Educational Department,
DPI Campus, College Road, Chennai.
3. The District Elementary Education Officer,
Ramanathapuram, Ramanathapuram District.
4. The Assistant Elementary Educational Officer,
Thiruvadanai, Ramanathapuram District.

+1 CC to SPECIAL GOVERNMENT PLEADER IN SR NO. 53224

+1 CC to Mr.S.MANIKANDAN, Advocate (SR-53427[F] dated 12/03/2019)
cmr

AE/16.04.2019/2P/7C

ORDER MADE IN
W.P. (MD) No.2817 of 2018
11.03.2019