



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P (MD) No. 11756 of 2019

and

WMP (MD) No. 8909 of 2019

WEB COPY

K. Thayanithi

.. Petitioner

Vs.

1. The Chief Educational Officer,
Theni.

2. The District Educational Officer,
Periyakulam,
Theni District.

3. The Block Development Officer,
Periyakulam,
Theni District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioner as Middle School headmaster at 3rd ward Municipal Middle School, Periyakulam, Theni District as per the proceedings of the Director of Elementary Education dated 19.11.1999.

For Petitioner : Mr. V. Panneerselvam

For Respondents : Mrs. S. Srimathy
Special Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents to promote the petitioner as Middle School Headmaster at 3rd Ward Municipal Middle School, Periyakulam, Theni District as per the proceedings of the Director of Elementary Education dated 19.11.1999.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. According to the petitioner, he was initially appointed



as B.T.Assistant (Science) on 08.09.2005. Thereafter, he was promoted as Middle School Headmaster on 16.09.2011 and subsequently he was reverted to the post of B.T.Assistant on 21.12.2011 on the ground of want of vacancy. Again the petitioner was promoted as Middle School Headmaster and again he was reverted on 04.08.2017 and now he is working as B.T.Assistant at Periyakulam 7th Ward Municipality School.

4.The grievance of the petitioner is that as per the guidelines of the Director of Elementary Education dated 19.11.1999, the reverted persons on the ground of want of vacancy should be given promotion first. Therefore, as per the said guidelines, the petitioner has to be promoted as Middle School Headmaster. Claiming such relief, the petitioner made a representation dated 22.04.2019 to the respondents and the same has not been considered so far. Hence, this writ petition has been filed.

5.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered taking into account the guidelines dated 19.11.1999 as well as the subsequent proceedings, if any issued.

6.Considering the limited scope of the prayer sought in the writ petition, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the petitioner's representation dated 22.04.2019 by taking note of the guidelines issued by the Director of Elementary Education dated 19.11.1999 and if any proceedings issued subsequently and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.8909 of 2019 is closed.

Sd/-

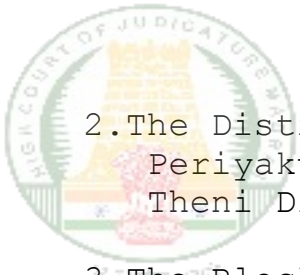
Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1- The Chief Educational Officer,
Theni.



2.The District Educational Officer,
Periyakulam,
Theni District.

3.The Block Development Officer,
Periyakulam,
Theni District.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-71908[F] dated 27/06/2019)

+1 CC to M/s.SPL GP (SR-72135[F] dated 28/06/2019)

mj

W.P (MD) No.11756 of 2019
26.06.2019

KM/ (04.07.2019) 3P 6C