



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) Nos.14347 and 14165 of 2019

and

W.M.P. (MD) Nos.10770, 10771, 10639 and 10640 of 2019

T.Babuselvan

... Petitioner

in W.P. (MD) No.14347/2019

T.Thamaraiselvan

... Petitioner

in W.P. (MD) No.14165/2019

Vs.

1.The State of Tamil Nadu,

Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai.

2.The Director,

Director of School Education,
Chennai.

3.The Joint Director (Higher Secondary),

O/o. the Joint Director of School Education,
Chennai - 6.

... Respondents 1 to 3
in both the W.Ps.

4.The Chief Educational Officer,

Tirunelveli,
Tirunelveli District.

... 4th Respondent
in W.P. (MD) No.14347/2019

5.The Chief Educational Officer,

Pudukottai,
Pudukkottai District.

... 4th Respondent
in W.P. (MD) No.14165/2019

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Mandamus, directing the respondents to include the name of the petitioners in the panel of P.G. Assistants fit for promotion to the post of Headmaster of Higher Secondary School as on 01.01.2019 prepared by the second respondent and consequently, to promote the petitioners as Headmaster of Higher Secondary School, taking into consideration of their seniority without reference to the criminal case registered against them, within the period that may be stipulated by this Court.



For Petitioner
in both the W.Ps.

: Mr.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondents
in both the W.Ps.

: Mrs.S.Srimathy
Special Government Pleader

COMMON ORDER

Though these Writ Petitions are filed for a larger relief, seeking issuance of Writs of Mandamus, directing the respondents to include the name of the petitioners in the panel of P.G. Assistants fit for promotion to the post of Headmaster of Higher Secondary School as on 01.01.2019, prepared by the second respondent and consequently, to promote the petitioners as Headmaster of Higher Secondary School, taking into consideration of their seniority without reference to the criminal case registered against them, within the period that may be stipulated by this Court, the learned Senior Counsel appearing for the petitioners in the course of his argument, restricted his relief for issuing a direction to the respondents, to dispose of the petitioners' representation, in the light of Clause - 5 to Part-A-II to Schedule - XI [see Section 7 (1)] of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

2.The learned Special Government Pleader appearing for the respondents submitted that the second respondent would consider the petitioners' representation and pass orders on or before 08.07.2019.

3.Recording the abovesaid submission made by the learned counsel on either side, this Court directs the second respondent to dispose of the petitioners' representation on merits and in accordance with law, in the light of Clause - 5 to Part-A-II to Schedule - XI [see Section 7(1)], on or before 08.07.2019. These Writ Petitions are accordingly disposed of. No costs. It is made clear that if no order is passed on or before 08.07.2019, the respondents shall keep two posts of Headmaster of Higher Secondary School vacant until the orders are passed in the representations. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat,
Chennai.
2. The Director of School Education,
O/o. the Director of School Education,
College Road,
Chennai.
3. The Joint Director (Higher Secondary),
O/o. the Joint Director of School Education,
DPI Campus, College Road,
Chennai - 6.
4. The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
5. The Chief Educational Officer,
Pudukottai,
Pudukkottai District.

+2CC TO MR.AJMAL ASSO, Advocate Sr. No. 72846 & 72847

Common order in
W.P. (MD) Nos. 14347 and 14165 of 2019

SMV (CO)
TR (03.07.2019) 3P 8C