

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

DATED: 26.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)Nos.18198 & 18199 of 2015**

V.Ponnalagu ... Petitioner in W.P(MD)No.18198/2015
D.Margeret ... Petitioner in W.P(MD)No.18199/2015
Vs.

1.The Director of Adi-Dravidar and Tribal
Welfare Department,
Chepauk, Chennai - 600 005.

2.The District Adi-Dravidar and Tribal
Welfare Officer,
Madurai.

... Respondents in both W.Ps'

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to consider the representations of the petitioners, dated 18.09.2015 and further direct them to promote the petitioners as B.T Assistant on par with the petitioners' juniors, who were promoted as B.T Assistant post bypassing the petitioners and to grant all service and other monetary benefits within the time limit fixed by this Court.

For Petitioners : Mr.A.Thirumurthy
(In both W.Ps')

For Respondents : Mr.C.M.Mari Chelliah Prabhu,
(In both W.Ps') Additional Government Pleader.

COMMON ORDER

These Writ Petitions have been filed seeking issuance of a writ of Mandamus, to direct the respondents to consider the representations of the petitioners, dated 18.09.2015 and further direct them to promote the petitioners as B.T Assistant on par with their juniors, who were promoted as B.T Assistant bypassing the petitioners and to grant all service and other monetary benefits within the time limit fixed by this Court.



2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

3. The case of the petitioners is that they were appointed as Secondary Grade Teachers and completed 20 years of service. For the post of B.T Assistant, as per the seniority list, the petitioners were placed under Serial Nos.14 & 15 respectively, however, their juniors were appointed as B.T Assistant. Hence, the petitioners sent representations, dated 11.06.2015 to the respondents to promote them as B.T Assistant on par with their juniors. In response, the first respondent has forwarded a letter, dated 28.07.2015 to the second respondent with a request to consider their representations and explore the possibility of considering their claim. Thereafter, the petitioners have again submitted representations, dated 18.09.2015 to the respondents. Since no action is forthcoming on the representations of the petitioners, these Writ Petitions have been filed seeking the abovesaid relief.

4. The learned counsel appearing for the respondents submitted that the representation of the petitioners, dated 18.09.2015 would be considered by the respondents on merits.

5. In such view of the matter, this Court, without going into the merits of the petitioners' claim, directs the respondents to consider the representations of the petitioners, dated 18.09.2015 in line with the proceedings of the first respondent, dated 28.07.2015 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioners. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar (CS)

To

1. The Director of Adi-Dravidar and Tribal

Welfare Department,

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

Chépaúk, Chennai - 600 005.



2.The District Adi-Dravidar and Tribal
Welfare Officer,
Madurai.

+2 CC to M/s.A.THIRUMURTHY, Advocate
(SR-56734[F] dated 26/03/2019)

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+1 CC to M/s.SPL GP (SR-57096[F] dated 27/03/2019)

W.P(MD)Nos.18198 & 18199 of 2015
26.03.2019

ES/DS/25.04.2019/3P/6C