

O R D E R

The relief sought for in the present writ petition is to direct the fifth respondent to promote and appoint the writ petitioner as P.G.Assistant in Economics with effect from 01.06.2015.

2. The fifth respondent / School is an Aided School, wherein, the writ petitioner is working as B.T.Assistant.

3. The learned counsel for the writ petitioner states that the writ petitioner is fully qualified for promotion to the post of P.G.Assistant in Economics. The grievance of the writ petitioner is that her name was not considered for promotion despite the fact she is fully qualified.

4. The learned counsel appearing for the fifth respondent opposed the contentions of the writ petitioner by stating that the name of the writ petitioner was considered at the time of undertaking the process of selection by the Management and she was not selected for appointment to the post of P.G.Assistant in Economics. The other person, namely, Smt.Sabitha was selected and appointed in the post of P.G.Assistant in Economics.

5. The present writ petition is filed without impleading the appointed candidate and without challenging the order of such appointment. This apart, promotion or appointment can never be claimed as a matter of right. Promotions are to be made in accordance with the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 (hereinafter, referred to as "the Act"). If at all there is any irregularity or illegality in the matter of appointment or promotion, the writ petitioner has to redress her grievance by filing an appeal before the Appellate Authority under the provisions of the Act and thereafter, she has to approach the competent forum for appropriate remedy.

6. In the present case on hand, the writ petitioner has not impleaded the necessary party and not challenged the order of appointment made in favour of a third person. Thus, the writ petitioner is at liberty to prefer an appeal before the Appellate Authority under the provisions of the Act, if any grievance exists as of now.

7. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)



To:

1. The Secretary to Government,
School Education Department,
Fort.St.George, Chennai-600 009.

2. The Director of School Education,
College Road, Chennai-600 006.

3. The Chief Educational Officer,
Nagerkovil, Kanniyakumari District.

4. The District Educational Officer,
Kuzhithurai, Kanniyakumari District.

+ 1 CC TO Mr.A.S.Mujibur Rahman, ADVOCATE IN SR No.69998

+ 1 CC to The Special Government Pleader SR.No.70449

+ 1 CC TO Mr.Isaac Chambers, ADVOCATE IN SR No.69960

W.P. (MD) No.18894 of 2015

and

M.P. (MD) No.1 of 2015

19.06.2019

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