



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) Nos.15326 of 2019

and

W.M.P.(MD) Nos.11905 to 11907 of 2019

R.Dheepa

... Petitioner

Vs.

1.The Director of School Education,
(Higher Secondary),
Chennai - 600 006.

2.The Chief Educational Officer,
Chennai.

3.The Chairman,
Teachers Recruitment Board,
College Road,
Chennai.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned panel list dated 02/07/2019 of PG Teachers for promotion to the post of Headmistress in Government Higher Secondary schools on the file of the first respondent and quash the same insofar as placing the petitioner under Serial No.541 and directing the respondents to restore the petitioner's seniority under Serial No.287, (Roaster Serial No.32) and to promote the petitioner as Headmistress of a Government Higher Secondary School.

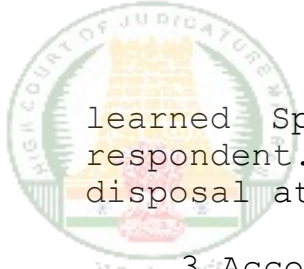
For Petitioner	: Mr.G.Prabhu Rajadurai
For R1 & R2	: Mrs.S.Srimathy Special Government Pleader
For R3	: Mr.V.R.Shanmuganathan Special Government Pleader

ORDER

This Writ Petition has been filed to quash the panel list of PG Teachers dated 02.07.2019, for promotion to the post of Headmistress in Government Higher Secondary schools on the file of the first respondent and to promote the petitioners as Headmistress in the Government Higher Secondary School.

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

2.Mrs.S.Srimathy, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.V.R.Shanmuganathan,



learned Special Government Pleader takes notice for the third respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, she is working as PG Assistant (Chemistry) in Government Higher Secondary School, Chithahampalli, Dharmapuri District. By proceedings of the second respondent dated 20.08.2013, she was granted selection grade w.e.f. 25.11.2012. In the meantime, on 19.06.2019, the provisional list of seniority was published by the respondents w.e.f. 01.01.2019, in which, her name was placed under serial No.287 (TRB Roaster No.32). However, when the final list of seniority was published on 02.07.2019, her name was placed at the bottom of the list under serial No.541 (TRB Roaster No.0). In this connection, she made a representation to the Headmistress on 03.07.2019 and the same has been forwarded to the first respondent and on the same day itself, she has given another representation to the first respondent. But, on such representation, the first respondent has not passed any orders till date. Hence, the petitioner is before this Court for the relief stated supra.

4. The learned Special Government Pleader appearing for the third respondent would submit that as per roster, the provisional list has been prepared and the same has also been forwarded to the authorities concerned for issuing the appointment orders to the selected candidates.

5. The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that due to some error, the said mistake has occurred while preparing the final list of seniority. Further, she would submit that the petitioner's representation dated 03.07.2019, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. In the light of the aforesaid submission made by the learned counsel on either side, in the interest of justice, this Court is inclined to pass the following directions:

(i) the first respondent/Director of School Education (Higher Secondary), Chennai 600 006, is directed to consider the representation of the petitioner dated 03.07.2019 in accordance with law, within a period of six weeks from the date of receipt of a copy of this order;

(ii) till the final orders is passed by the first respondent, the final list of seniority for promotion drawn by the respondent concerned shall not be given effect to;

(iii) the petitioner is directed to enclose a copy of this order along with such representation;



7. With the above directions, this Writ Petition is disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

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// True Copy //

Sd/-

Assistant Registrar

Sub Assistant Registrar (CS)

To

1. The Director of School Education,
(Higher Secondary),
Chennai - 600 006.
2. The Chief Educational Officer,
Chennai.
3. The Chairman,
Teachers Recruitment Board,
College Road,
Chennai.

+1 CC to Mr.G.PRABHU RAJADURAI, Advocate (SR-79614[F] dated 05/08/2019)

+1 CC to SPL GP (SR-79687[F] dated 05/08/2019)

W.P. (MD) Nos.15326 of 2019

02.08.2019

(2/2)

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MK (22.08.2019) 3P 6C