



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.23082 of 2017

and

WMP(MD)Nos.19399 to 19401 of 2017

S.Sridevi

.. Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of Education,
Fort St. George,
Chennai - 9.

2.The Director of School Education,
O/o.Director of School Education,
DPI Campus,
Chennai - 6.

3.The Joint Director of School Education,
O/o.Joint Director of School Education,
DPI Campus, Chennai - 6.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the third respondent to include the name of the Petitioner in the Seniority Panel of Assistants who are eligible for promotion to the Post of Desk Superintendent as on 15.03.2017 considering the date of initial appointment of the Petitioner in the post of Junior Assistant and consequently to grant promotion in the post of Desk Superintendent within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the third respondent to include the petitioner's name in the Seniority Panel of Assistants, who are eligible for promotion to the Post of Desk Superintendent as on 15.03.2017, considering the date of her initial appointment in the post of Junior Assistant and consequently to grant promotion to the post of Desk Superintendent.



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

3. The case of the petitioner is that she was appointed as a Junior Assistant in the Government Higher Secondary School on 25.10.1995 and subsequently promoted as an Assistant on 26.10.2015. Thereafter, her service was not regularised, though she has completed departmental examination within a period of two years from the date of her appointment. Later on, the Government issued G.O. (1D) No. 30 dated 06.02.2015, admitting the fact that the petitioner was not granted promotion within the time. Therefore, the petitioner made a representation dated 08.12.2017 to the respondents seeking to include her name in the Seniority Panel of the Assistants, who are eligible for promotion to the Post of Desk Superintendent as on 15.03.2017, considering the date of her initial appointment in the post of Junior Assistant. Since no action is forthcoming till date, this writ petition has been filed.

4. The learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 08.12.2017 is directed to be considered by the third respondent.

5. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representation of the petitioner would be considered and suitable orders be passed by the respondents on merits.

6. In view of the above submission, the third respondent is directed to consider the petitioner's representation dated 08.12.2017 in the light of G.O. (1D) No. 30 dated 06.02.2015 and pass suitable orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after due opportunity of hearing to the petitioner.

7. The writ petition is disposed of with the above direction. No costs. Consequently, WMP (MD) Nos. 19399 to 19401 of 2017 are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Secretary to the Government,
Department of Education,
Fort St. George,
Chennai - 9.



2.The Director of School Education,
O/o.Director of School Education,
DPI Campus,
Chennai - 6.

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3.The Joint Director of School Education,
O/o.Joint Director of School Education,
DPI Campus, Chennai - 6.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate in SR-56497

+1 CC to M/s.The Special Government Pleader in SR-56558

W.P (MD) No.23082 of 2017
25.03.2019

mj

PK/15.04.2019 : 3P/6C