



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.15969 of 2019

R.Umaselvi

...Petitioner

Vs.

1.State of Tamil Nadu,
represented by its Secretary to Government,
Higher Education Department,
Secretariat,
Chennai - 9.

2.The Director of Technical Education,
Chennai - 25.

3.The Principal,
Arulmigu Palaniandavar Polytechnic College,
Palani,
Dindigul District.

...Respondents

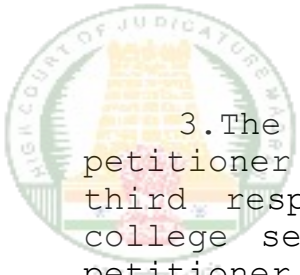
PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Instructor with effect from the date on which her junior was given promotion by considering the proposal submitted by the third respondent dated 21.09.2017 as per the decision made in W.A.(MD) No.23 of 2012 dated 22.04.2016 with all consequential benefits.

For Petitioner	:Mr.V.Panneer Selvam
For R1 & R2	:Mr.A.Muthukaruppan Additional Government Pleader
For R3	:Mr.V.R.Shanmuganathan Standing Counsel

ORDER

This writ petition has been filed to direct the respondents to promote the petitioner as Instructor with effect from the date on which her junior was given promotion by considering the proposal submitted by the third respondent dated 21.09.2017 as per the decision made in W.A.(MD) No.23 of 2012 dated 22.04.2016 with all consequential benefits.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents 1 and 2. By consent, this writ petition is taken up for disposal at the admission stage itself.



3.The learned counsel for the petitioner would submit that the petitioner was appointed as Skilled Assistant on 31.08.1984 in the third respondent college. On 21.09.2017, the third respondent college sent a proposal to the second respondent to promote the petitioner as Instructor and on 30.01.2009, the third respondent has reminded the same to the second respondent, but till date, no action has been taken. Hence, the petitioner is before this Court for the relief stated supra.

4.In reply, the learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the said proposal of the third respondent dated 21.09.2017 would be considered as expeditiously as possible on merits and in accordance with law by the second respondent, within a time frame to be fixed by this Court.

5.In the light of the above said submissions made by the learned Additional Government Pleader, without expressing any opinion on the merits of the case, this Court is inclined to pass the following direction:

the respondents are directed to consider the said proposal dated 21.09.2017 in the light of the decision rendered in W.A.(MD) No.23 of 2012 dated 22.04.2016 and take a decision on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order;

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary to Government, Higher Education Department,
Secretariat, Chennai - 9.

2.The Director of Technical Education, Chennai - 25.

+1 CC to M/s.SPL GP (SR-76318[F] dated 19/07/2019)

+1 CC to M/s.V.PANEER SELVAM, Advocate (SR-76429[F]
dated 19/07/2019)

W.P. (MD) No.15969 of 2019