



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2019

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.17170 of 2019

and

W.M.P. (MD) Nos.13688 & 13689 of 2019

M.Kumaresan

...Petitioner

Vs.

1. The Director of Elementary Education,
O/o. the Director of School Education,
DPI Complex, Chennai - 6.
 2. The Chief Educational Officer,
O/o. the Chief Educational Officer,
Sivagangai District, Sivagangai.
 3. The District Educational Officer,
O/o. the District Educational Officer,
Sivagangai, Sivagangai District.
 4. The Disciplinary Authority/the Block Educational Officer II,
O/o. the Block Educational Officer II,
Sivagangai Union,
Sivagangai District.
- ...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 pertaining to the impugned order in Na.Ka.No.2538/Aa1/2018 dated 07/01/2019 on the file of the respondent No.4 and quash the same as illegal and consequently direct the respondents 1 to 4 to include the Name of the petitioner in the Panel for promotion to the post of BT Assistant (Science), within a time 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 to quash the order dated 07.01.2019, passed in Na.Ka.No.2538/Aa1/2018 by the fourth respondent and to direct the respondents to include the name of the petitioner in the Panel for promotion to the post of BT Assistant (Science).

2.Mrs.S.Srimathy, learned Special Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner would submit that with reference to the prayer sought for in this writ petition, the petitioner submitted the explanation on 17.06.2019 to the fourth respondent. But, no action has been taken till date. Hence, the petitioner is before this Court for the relief stated supra.

4.In reply, the learned Special Government Pleader appearing for the respondents would submit that the petitioner's explanation dated 17.06.2019, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned Special Government Pleader, without expressing any opinion on the merits of the case, this Court directs the fourth respondent to consider the petitioner's explanation dated 17.06.2019, in the light of the order dated 22.04.2019, passed in CrI.O.P.(MD) No.5722 of 2019 by this Court and in accordance with law, within a period of four 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Director of Elementary Education,
O/o. the Director of School Education,
DPI Complex,

<https://hcservices.cemil.in/hcservices/>



2. The Chief Educational Officer,
O/o. the Chief Educational Officer,
Sivagangai District,
Sivagangai.

3. The District Educational Officer,
O/o. the District Educational Officer,
Sivagangai,
Sivagangai District.

4. The Disciplinary Authority/the Block Educational Officer II,
O/o. the Block Educational Officer II,
Sivagangai Union,
Sivagangai District.

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-79943[F] dated
06/08/2019)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-80166[F] dated
07/08/2019)

W.P.(MD) No.17170 of 2019
05.08.2019

mm

AE/ (14.08.2019) 3P 7C