



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **06.03.2019**
CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

WP (MD) No.9402 of 2016
and
WMP (MD) No.7461 of 2016

- 1.V.L.Benin Deva Kumar
- 2.V.L.Sam Prince Kumar
- 3.K.Soman Nair
- 4.T.Ayyappan
- 5.S.Selvanayagam
- 6.S.Kannan
- 7.M.Syed Ibrahim
- 8.M.Mariappan
- 9.D.Rajan
- 10.A.Subbulakshmi
- 11.M.Krishnakumar
- 12.P.Natarajan
- 13.L.M.Sekaran
- 14.P.Arivoli
- 15.M.Raja
- 16.T.Balaji
- 17.M.Murugan
- 18.S.Senthilkumar
- 19.R.Amudan



21.MD.Shanawaz

22.V.Umamaheswari

23.C.Prabhakaran

24.G.Selvam

25.K.Prabavathi

26.C.Gopu

27.A.Anross

28.J.Sivagamasundari

29.A.Mohammadhi

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by the Secretary to Government,
Education Department,
Secretariat, Chennai - 9.

2.The Director of School Education,
College Road,
Chennai - 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st Respondent in Letter No.10385/Nee.Val(1)/2015-2 dated 14.08.2015 and quash the same as illegal and consequently direct the respondents to follow the ratio at 50:50 for further promotion to the post of High School Headmaster and P.G.Assistant in the light of the same nature of ratio fixed and followed and promotion to the post of Higher Secondary School Headmaster by way of G.O.Ms.No.720, Education Department, dated 28.04.1981, notifying the Tamil Nadu Higher Secondary Education Service Special Rules or follow the date of regular appointment to the post of B.T.Assistant either from the direct recruitment source other than the contractual appointees to the post of B.T.Assistants regularised subsequently or from the promotion source to the post of B.T.Assistant for further promotion by placing the petitioners over and above direct recruits appointed in excess of their quota of 50% in the post of B.T.Assistant.

For Petitioners : Mr.D.Selvanayagam

For Respondents : Mrs.S.Srimathy,
Special Government Pleader



This writ petition is filed seeking to quash the impugned order passed by the 1st Respondent in Letter No.10385/Nee.Val(1)/2015-2 dated 14.08.2015 with consequential directions in respect of fixation of seniority.

2.Though the prayer in this writ petition is for various other reliefs, the learned Counsel appearing for the petitioners brought to the notice of this Court that the review application seeking 50% of reservation is kept pending on and from 30.10.2015 and it would suffice, if the review is considered by the first respondent and such submission is agreeable to the Special Government Pleader appearing for the respondents.

3.In view of the above submission, the first respondent, before whom the review dated 30.10.2015 is pending, is hereby directed to consider the same on merits and in accordance with law and pass necessary orders, after affording due opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

4.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar()

To

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

2.The Director of School Education,
College Road, Chennai - 6.

+1. C.C. To Mr.D.Selvanayagam Advocate SR.No.52156

ORDER MADE IN
WP (MD) No. 9402 of 2016
06.03.2019

TK/SAR- /09.04.2019/3P/4C