

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 10.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.18626 of 2015**

A.Kanniyammal

... Petitioner

-Vs-

1.The Director,

O/o. The Director of Adi Dravidar &
Tribal Welfare,
Chepauk, Chennai-5.

2.The District Adi Dravida and

Tribal Welfare Officer,
O/o. The District Adi Dravida and Tribal
Welfare Officer,
Pudukkottai District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to provide promotion to the petitioner in the post of Secondary Grade Assistant in Tamil in the light of the proceedings in Na.Ka.No.Tha2/14005/12 dated 01.10.2012 on the file of the respondent No.1 and the proceedings of the respondent No.2 in Na.Q.5.27386/2011 dated 22.05.2014 on the file of the respondent No.2 within the time period stipulated by this Court.

For Petitioner

: T.Lajapathi Roy

For Respondents

: Mr.M.Jeya Kumar,
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is to direct the respondents to provide promotion to the writ petitioner in the post of Secondary Grade Assistant in Tamil in accordance with the Government Orders in force.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the writ petitioner is entitled for promotion to the post of Secondary Grade Assistant in Tamil, based on G.O.Ms.No.95, Adi Dravidar and Tribal Welfare Department, dated 25.10.2011.

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

3.The learned Additional Government Pleader appearing on



behalf of the respondents states that the case of the writ petitioner is also under consideration and suitable orders will be passed in accordance with the seniority and based on the Government Orders.

4. This Court is of the considered opinion that with reference to G.O.Ms.No.95, Adi Dravidar and Tribal Welfare Department, dated 25.10.2011, the names of the eligible persons, who are waiting for promotion to the post of Secondary Grade Assistant, are to be considered. It is not as if the Court can direct the respondents to permit the writ petitioner alone. The department / respondents have to verify the records in respect of the availability of the vacancies and the number of persons waiting for such promotion. Therefore, the respondents are directed to consider the case of the writ petitioner along with all other eligible candidates, who are waiting to secure promotion, with reference to G.O.Ms.No.95, Adi Dravidar and Tribal Welfare Department, dated 25.10.2011.

5. The promotions are to be granted subject to the availability of the vacancies and consider the seniority and eligibility of all candidates, who are all waiting for promotions.

6. With these observations, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director,

O/o. The Director of Adi Dravidar &
Tribal Welfare,
Chepauk, Chennai-5.

2. The District Adi Dravida and
Tribal Welfare Officer,

O/o. The District Adi Dravida and Tribal
Welfare Officer,
Pudukkottai District.

MYR

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