



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.22514 of 2019

and

W.M.P (MD)No.19294 of 2019

WEB COPY

N.Theres Santhiny

... Petitioner

Vs.

1.The Chief Educational Officer,
Kanyakumari District.

2.The District Educational Officer,
Nagercoil,
Kanyakumari District.

3.The Block Educational Officer,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to promote the petitioner as B.T.Assistant (Tamil) in Government Middle School, Pudhukkadai, Kanyakumari District as per seniority by considering the petitioner representation, dated 16.09.2019.

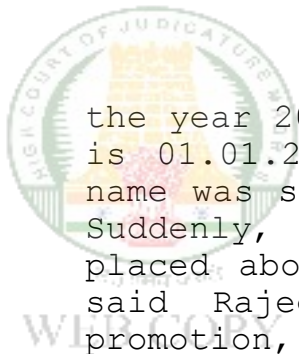
For Petitioner : Mr.V.Panneer Selvam
For Respondents : Mr.M.Karuppasamy,
Government Advocate

ORDER

This writ petition is filed for a direction to the respondents to promote the petitioner as B.T.Assistant (Tamil) in Government Middle School, Pudhukkadai, Kanyakumari District, as per seniority by considering her representation, dated 16.09.2019.

2.Mr.M.Karuppasamy, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, she was appointed as Secondary Grade Teacher on 31.07.1995 and subsequently, promoted as Elementary School Headmaster on 29.06.2012. She has passed B.Lit., B.Ed., and M.A., and fully qualified for the post of B.T.Assistant (Tamil). As per seniority, her name was included in the panel for promotion for



the year 2019. The crucial date for preparing the promotional panel is 01.01.2019. A panel was prepared, in which, the petitioner's name was shown in Sl.No.22. One Tmt.Rajeetha was shown as Sl.No.28. Suddenly, the said panel was modified and the said Rajeetha was placed above the petitioner and the respondents have promoted the said Rajeetha to the post of B.T.Assistant (Tamil). After promotion, the said Rajeetha relinquished her promotion for three years and the same was approved by the second respondent, dated 21.08.2019. In the circumstances, the petitioner has given a representation dated 16.09.2019 to promote her in the said post.

4. Considering the relief sought for by the petitioner in the writ petition and also considering the materials on record, without deciding the issue on merits, the respondents are directed to consider the representation of the petitioner, dated 16.09.2019 and pass 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.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

am

To

- 1.The Chief Educational Officer,
Kanyakumari District.
- 2.The District Educational Officer,
Nagercoil, Kanyakumari District.
- 3.The Block Educational Officer,
Nagercoil, Kanyakumari District.

+1 CC to M/s.V.PANNEER SELVAM, Advocate SR-94323.
+1 CC to SPL GP SR-94271.

W.P. (MD)No.22514 of 2019
23.10.2019

CS (13.11.2019) 2P 6C