



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.23931 of 2019

M.Karthick

... Petitioner

-Vs-

- 1.The Secretary,
Department of Adi-Dravidar & Tribal Welfare Department,
Secretariat, St. George Fort, Chennai-09.
- 2.The Director,
Adi-Dravidar & Tribal Welfare Department,
Chepauk, Chennai-5.
- 3.The District Adi-Dravidar Tribal Welfare Officer,
O/o. The District Adi-Dravidar & Tribal Welfare Officer,
Sivagangai District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner for the promotion to the post of B.T. Assistant (Tamil) and include the petitioner's name in the promotion panel list for the year 2016 as notionally based on the petitioner's educational qualification of B.A.Tamil without B.Ed., by considering the representation dated 18.10.2019 made by the petitioner, within the time stipulated by this Court.

For Petitioner : Mr.L.Pinaygash

For Respondents : Mr.A.Thiagarajan,
Government Advocate.

ORDER

This Writ Petition is filed to direct the second respondent to consider the petitioner for promotion to the post of B.T. Assistant (Tamil) and include the petitioner's name in the promotion panel list for the year 2016, as notionally, based on the petitioner's educational qualification of B.A. Tamil without B.Ed., by considering the representation dated 18.10.2019 made by the petitioner, within the time stipulated by this Court.



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

3.According to the petitioner, he was appointed as Secondary Grade Teacher on 23.11.2009 and his service was regularized on 13.01.2010. Thereafter, he was appointed as Secondary Grade Warden at Adi-Dravidar District Welfare Government Hostel, Kalayarkoil, Sivagangai District, on 16.06.2012. In the meanwhile, on 01.01.2016, the third respondent has prepared a list for promotion to the post of B.T. Assistant from the Secondary Grade Teachers in all subjects, wherein the petitioner's name was placed at Serial No.8. However, he was not considered for promotion on the ground that he has possessed only B.A. Tamil (Without B.Ed.) degree. Therefore, the petitioner has sent a representation dated 18.10.2019 to the respondents. However, the same has not been considered by the respondents. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the nature of relief sought for in the Writ Petition, without deciding the issues on merits, this Court directs the respondents to consider the representation of the petitioner dated 18.10.2019, on merits and pass orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
Department of Adi-Dravidar & Tribal Welfare Department,
Secretariat, St. George Fort, Chennai-09.
- 2.The Director,
Adi-Dravidar & Tribal Welfare Department,
Chepauk, Chennai-5.



3.The District Adi-Dravidar Tribal Welfare Officer,
O/o. The District Adi-Dravidar & Tribal Welfare Officer,
Sivagangai District.

+1 CC to M/s.I. PINAYGASH, Advocate (SR-97978[F] dated 13/11/2019)

+1 CC to M/s.GP (SR-98842[F] dated 15/11/2019)

W.P. (MD) No.23931 of 2019
13.11.2019

JMN(05.12.2019) 3P : 6C