

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.08.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.32364 OF 2013

D.Thilagam

.. Petitioner

- Vs -

1. The District Elementary Educational Officer
Erode, Erode District.

2. The Secretary
SSV Aided Elementary School
Kodumudi, Erode District
PIN 638 151.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to restore the approval granted on 24.11.2007 for the petitioner's promotion as Headmaster with effect from 1.6.04 and fix her pay in the post of Headmaster with effect from 1.6.04 and grant her all consequential benefits.

For Petitioner : Mr. Manoj Kumar

For Respondents: Mr. Suresh Kumar, GA

ORDER

It is the case of the petitioner that she was initially appointed as Higher Grade Teacher in the 2nd respondent school on 12.12.1981. Thereafter, the petitioner was appointed as Secondary Grade Teacher on 1.9.1988 in the same school and, on 1.6.03, the petitioner was posted as Headmaster (in-charge). It is the further case of the petitioner that vide resolution dated 31.5.04, the petitioner was promoted as Headmaster of the 2nd respondent school and the said promotion of the petitioner was approved by the 1st respondent on 24.11.07, w.e.f. 1.6.04. However, by order dated 19.12.07, the 1st respondent cancelled the earlier approval of the petitioner as Headmaster on the ground that one B.Santhakumari, Secondary Grade Teacher had submitted a representation claiming promotion and the said representation was under his consideration. However, the petitioner continued as Headmaster. It is the further case of

the petitioner that no orders have been passed on the representation said to have been filed by one Shanthakumari. Though repeated communications emanated from the 2nd respondent reiterating the proposal for appointing the petitioner as the Headmaster w.e.f. 1.6.04, no order has been passed on the said proposal by the 1st respondent. Therefore, left with no other alternative, the petitioner has filed the present petition.

2. Learned counsel appearing for the petitioner, though reiterated the contentions as raised in the grounds, however, fairly conceded, that this Court, without going into the merits of the issue, may direct the 1st respondent to pass orders on the proposal sent by the 2nd respondent dated 12.1.12 within a time frame fixed by this Court.

3. Learned Government Advocate appearing for the 1st respondent has no serious objection to the said request of the petitioner.

4. In the light of the above facts and circumstances, this Court, without going into the merits of the contentions raised, directs the 1st respondent to pass orders in accordance with law on the proposal dated 12.1.12, sent by the 2nd respondent, within a period of six months from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the aforesaid observation and direction. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The District Elementary Educational Officer
Erode, Erode District.

+1 cc to the Government Pleader Sr.No. 26107

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