

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 33679 OF 2013

V.Ranganathan

.. Petitioner

- Vs -

1.State of Tamil Nadu rep. by its Secretary,  
Education department,  
fort. St. George,  
Chennai 600 009.

2.Director of Elementary Education,  
College Road,  
Chennai 600 006.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to give promotion as Middle School Graduate Headmaster in the year 1983 and to grant attended benefits and revision of pension from 31.5.2003 to the petitioner.

For Petitioner : M/S.A.R.Nixon

For Respondents: Mr. S.Sureshkumar, G.A. (Edn.,)

ORDER

The writ petition has been filed by the petitioner to direct the respondents to give promotion as Middle School Graduate Headmaster in the year 1983 and to grant attendant benefits and revision of pension from 31.5.2003 to the petitioner.

2.The case of the petitioner is that the petitioner joined as a secondary grade teacher in the year 1965 and retired from service on 31.5.2003 as Elementary Educational Officer. However the promotion with regard Head master was not given to the petitioner at the relevant point of time. Hence a representation was given by the petitioner for grant of notional promotion. However, till the filing of the writ petition, the representation was not considered and no order has been passed. Hence the present writ petition was filed with above said prayer.

3.Learned counsel appearing for the petitioner submitted that though the petitioner has retired from the service in the year 2003, however he filed original application in O.A.NO.2035/1990, which was allowed on 24.12.1992 confirming the petitioner's promotion. However the promotion was not granted even thereafter and, therefore, the petitioner made a representation seeking for notional promotion as his promotion was not considered. Hence, it is prayed that it would suffice if this Court issues a direction to the respondents to dispose the representation within a reasonable time as fixed by this court.

4.Per contra, learned counsel appearing for respondents filed a counter and contented that after lapse of 10 years the petitioner filed the representation. However, in view of the limited relief sought for, it is conceded that this Court may issue a direction to the respondent to pass appropriate orders on the petitioner's representation within a time frame as fixed by this Court.

5.Heard the submissions advanced by the learned counsel on either side and perused the materials available on record.

6. In view of the limited relief sought for, without going into the merits of the issue, this Court directs the 1<sup>st</sup> respondent to consider the representation submitted by the petitioners in accordance with law and pass orders thereon within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed off. However there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1.State of Tamil Nadu rep. by its Secretary,  
Education department,  
fort. St. George,  
Chennai 600 009.

2. Director of Elementary Education,  
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Chennai 600 006.

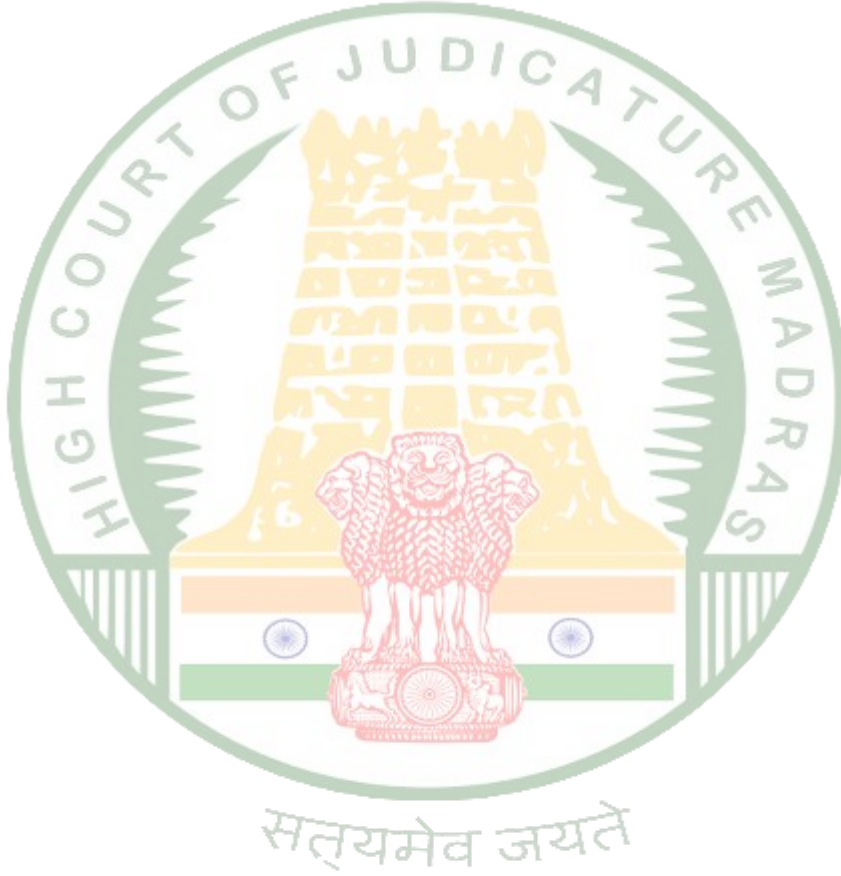
+1 cc to M/s.A.R.Nixon, Advocate Sr.No. 29804

+1 cc to The Government Pleader, Sr.No. 29714

W.P. NO.33679 OF 2013

NMI (CO)

RMP (21/10/2020)



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